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FURTHER CORRESPONDENCE

RESPECTING

MOROCCO

PART 60

JULY TO DECEMBER 1926

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Further Correspondence respecting Morocco.

PART 60.

CHAPTER I.—FRENCH ZONE.

[W 10083/469/28] No. 1.

Consul-General Sir A. Ryan to Sir Austen Chamberlain.—(*Received October* 27.)

(No. 197.)

Sir, *Rabat, October* 19, 1926.

SINCE the date of my despatch No. 153 of the 17th August I have not had the honour myself to address you regarding the military situation in the French zone, although in my printed despatches No. 160 of the 25th August, No. 171 of the 1st September, and No. 189 of the 1st October, I have forwarded reports from His Majesty's vice-consul at Fez. As the season at which organised operations are possible has now come to a close I recently suggested to Colonel Mackereth that it would be useful to give a general view of what has happened since the collapse of Abd-el-Krim in May. I enclose herewith copies of a despatch from him, No. 181 of the 15th October, enclosing a memorandum covering this ground and an illustrative map.*

2. Colonel Mackereth's memorandum gives a clear picture of the position arrived at in the French zone by the end of the autumn. The French are in fairly assured possession of the whole country up to the zonal frontier; the "Tache de Taza" has ceased to exist as a theatre of effective resistance; and any trouble further south has been so insignificant as to be easily dealt with. The connection between the French position and that of the Spaniards in their own zone has become so much more intimate as a result of the war and its aftermath that Colonel Mackereth has necessarily included in his survey the adjoining portion of the Spanish zone, so far as he can judge the situation there from the point of view of Fez.

3. Otherwise I have little to add to Colonel Mackereth's memorandum, except that, in my opinion, the Resident-General certainly thinks the time ripe for a considerable reduction of the military effectives in Morocco. Speaking to me on the 15th October, M. Steeg mentioned, as one of the foremost of his preoccupations, the necessity for liquidating the abnormal military establishment, and hinted that the difficulty lay in the reluctance of such establishments to be liquidated. I see in a local paper of the 18th October a statement that the French Minister of War had informed the Council of Ministers that the repatriation of troops had begun a month ago, that it would be completed by the 20th November, and that the effectives would then be down to the 1921 figure. This perhaps has reference only to troops forming part of the French army proper. Otherwise it seems over-optimistic. Continued French security on the frontier of the Spanish zone is still dependent on the exhibition of sufficient force to discourage fresh disturbance. M. Steeg can hardly

* Not reproduced.

fail to recognise this, however desirous he may be of economy and however much he may give play to his temperamental preference of the ploughshare to the sword.

4. I am sending copies of this despatch and enclosures to His Majesty's consul-general at Tangier.

I have, &c.
ANDREW RYAN.

Enclosure 1 in No. 1.

Colonel Mackereth to Consul-General Sir A. Ryan.

(No. 181.)
Sir, *Fez, October* 15, 1926.

I HAVE the honour to transmit to you herewith a short memorandum on the combined military operations of pacification which were undertaken by the French and Spanish forces along the northern zonal frontier after the breakdown of the Oujda Conference, and by the French forces alone in the Middle Atlas.

2. I have attached to this memorandum a recent map of Northern Morocco,* on which I have indicated by blue wash the extent of the territory now under definite military occupation by the French or Spaniards, and by a green wash the areas not occupied but which are patrolled, it is stated, by the newly-formed harkas under Spanish officers, or by friendly tribes. I have shown the names of all the important tribal confederations bordering the frontier.

3. From the map it will be appreciated how considerable have been the gains of the French and Spanish armies. The dangerous area, in my view, is that coloured green. It is still large, though it is very much smaller than it was in 1925, when it extended from Hassi Ouenzga, in the east, to Ouezzan, in the west.

I have, &c.
GILBERT MACKERETH.

Enclosure 2 in No. 1.

Memorandum on the Military Position in the French Zone.

AFTER the Oujda Conference broke down, it required only fifteen days' campaigning to bring about the personal surrender of Abd-el-Krim, and this was sufficient to effect the crumbling of the Riffis' organisation and the disintegration of the Riffi-Jebala block of tribes. Such important results were obtained at a cost to the French of only about 100 killed and 300 wounded from total effectives of 97,000 troops.

2. The campaign consisted of two offensives conducted by three divisions under General Marty. One on the east front was made in conjunction with the Spaniards and had as objective Abd-el-Krim's tribe, the Beni Ouriaguel; the second, on the west, was directed against the confederation of the Beni Zeroual, 60 kilom. north of Fez.

3. The eastern offensive was conducted with a speed hitherto unknown in French Moroccan military history, and this in spite of a very difficult terrain; the resistance of the enemy being counteracted by the swiftness of the advance. By the 21st May the French troops commanded the Targuist Valley, the centre of Abd-el-Krim's influence. The tribes through which the troops advanced, the Marnissa, the Gueznaia, the Beni Amret, and the Beni Bechir, lost no time in submitting.

4. At the same time the Spanish troops, advancing from the coast and westwards from their own line, occupied the Beni Ouriaguel, the Beni Mesdoui, the Beni Touzine, the Beni Oulichek and the Temsamame.

5. This combined movement thus brought about the complete occupation of the whole of the Spanish zone and the northern part of the French zone from the eastern frontier to a line drawn south from Peñon de Velez de la Gomera.

6. Completely defeated and abandoned by his most stalwart supporters, Abd-el-Krim gave up hope of further resistance and allowed himself to be persuaded

* Not reproduced.

by M. Parent, who led the medical mission attending French prisoners in the Riff, to surrender himself to the French on the 26th May, 1926.

7. The western offensive, undertaken by three divisions under General Dufieux, occupied the whole of the tribal lands of the Beni Mestara and the Zeroual confederation. By the 30th May the French forces reached the predetermined limits of their advances and had, with the exception of the north-east of Ouezzan, occupied all the land south of the French definition of the Franco-Spanish zonal frontier.

8. Following the military successes outlined above, the Riffian situation continued to evolve in a very satisfactory manner along the whole of the French front, and by the 20th September the French attained at all points the limits of their zone. And to-day, in front of them are tribes in the Spanish zone who, if they have not made their submission to the French, have, at least, registered the desire to live at peace with them. As these tribes comprise the confederation of Senhadja-es-Srair, the Beni Khaled and the Beni Ahmed, the prospects of peace along the frontier are good.

9. The Spanish task of occupying the lands west of Targuist and east of Chechaouen was one calling for much organising ability and an undertaking beyond the capacity of the roving columns of Colonels Capaz, Pozas, and of Captain Ostariz. In consequence, there are still large predatory bands of Riffians at large. These bands found the disarmed tribes of the French zone easy prey, and on or about the 10th June a certain amount of effervescence began along the borders of the Beni Khaled. This disturbance unfortunately synchronised with the withdrawal of the ten battalions destined for the "Tache de Taza" operations. The Beni Zeroual became nervous, and giving in to the menaces of banditti from the Beni Khaled and the Ghomara led by Ould Thami-el-Ouezzani, two tribes of the Zeroual confederation, the Zergharine and the Azrirar, revolted and attacked the French goum at Tabouda. In order to cut short this revolt, the 4th Division, in reserve at Fez-el-Bali, advanced through the Beni Zeroual driving off El Ouezzani's men. The Zergharine and the Azrirar were fined, and a post was built at Zaiouat-el-Arab, the extreme northern limit of the Beni Zeroual.

10. The Ghezaoua and the Ghouna, under El Beggar's instigation, adopted a menacing attitude, but they were completely over-awed by the imposing array—fourteen battalions—which General Dufieux had assembled for the very purpose of occupying the territories of these tribes.

11. In the Ouezzan area the French forces, on the 20th June, moved forward on a front of 15 kilom. to a depth of 4 kilom. without firing a shot. On the 22nd June they reached the line of the River Takest, on the 23rd they reached the crest overlooking the Beni Immel and reoccupied Rihana. At this point political activity replaced military offensive all along the front and military commanders were free to carry out the tactical organisation of the country which had been occupied during the year, in accordance with the military principles which were dealt with in my despatch No. 118 of the 18th June, 1926.

12. Although the country south of the frontier is still a zone of insecurity, there is no longer any immediate danger of another tribal rising such as occurred in 1925. The country is not, perhaps, in a state of absolute peace, but it is certainly on the threshold of such a peace. As much depends on the situation north of the zonal frontier, a few observations on this district viewed from the French side may be helpful. Examining the situation on the Spanish side of the frontier from east to west, it appears that in the Riff proper the Spaniards have succeeded in occupying their zone either by regular military forces or by harkas formed from among the late followers of Abd-el-Krim. These harkas are being used as a police force to disarm the tribes lying between the Riff proper and Chechaouen, and to stop inter-tribal wars. North of Taza effective contact has so far been maintained between the French and Spanish troops. Farther west, north of Fez, the Spanish Intelligence Service has handled the Senhadja Srair with ability, and, by backing the Shorfa Khemalcha, has obtained definite control, and here again Spanish posts are in contact with the French posts.

13. Still farther to the west, however, the situation is different and the Spanish effort would appear to have lost impetus as it moved westwards from the operations base at Alhucemas. Indeed west of the Ktama, the above-mentioned harkas, commanded, it is true, by distinguished Spanish officers, have borne alone the whole brunt of the Spanish penetration. So long as these native levies are contented with their new masters they should prove a most useful body, but Moors are, in the mass, often perfidious. West of the Beni Ahmed the Khemes, whose capital is

Chechaouen, show no sign of accepting the Spanish conditions. They are a powerful and warlike tribe, who inspire their neighbours with fear.

14. To-day winter has begun and for the next six months it will be difficult for troops equipped in the European fashion to circulate in the region of the frontier.

15. The sincerity of the Spaniards with regard to their undertaking to the French to bring order in their zone is an unknown factor. I am told that they have made no attempt to provide winter communications with the interior. This can only mean that they intend to withdraw all their regular troops to the coast before the end of November. This is a dangerous feature, for the whole duty of maintaining order among the turbulent elements would then fall on the newly-formed harkas. On the other hand, there is no doubt that the large majority of the tribesmen are sick and tired of continual warfare and desire nothing better than to settle down for a few years to peaceful occupations. The great difficulty is still, as it always has been, that of protecting the sheep from the wolves. The various bands of Abd-el-Krim's soldiers roving the countryside are the wolves, and no effort should be spared to round them up. In spite of all these difficulties, little danger need be anticipated in the French zone, where I believe the French command have taken all possible precautions to prevent any revolt from spreading in the French protectorate. Moreover, the danger area has been limited to that part of the frontier zone lying between Taounat and Rihana; from Taounat to the east the frontier region can be considered, I think, definitely secured. In fact, the dangerous frontier in 1924 was 350 kilom. long, while to-day only 120 kilom. of the frontier presents any element of danger, hence there are 230 kilom. less of boundary to watch.

Middle Atlas.

16. The ease and rapidity with which the French troops accomplished their task in the Riff made it possible to carry out yet another campaign to remove the "Tache de Taza." Here again, the operations were brilliantly and successfully conducted. As on the northern front, a huge army was assembled, and the mere sight of it appears to have taken most of the fight out of the hitherto obdurate mountaineers that inhabit these highlands.

17. On the 26th June Tichoukt, a plateau 35 kilom. by 20 kilom., containing a block of dissidents, was attacked and occupied by a force comprising five battalions of Algerian and Moroccan troops, three battalions of the Foreign Legion, two companies of tanks, and 3,000 partisans. The total force of the enemy was about 500, but as the country was very broken and rugged the French command considered it indispensable to employ the numbers they did. They were justified by the event, for success came easily where, in 1923, a force under General Poeymireau, one-quarter the size of that employed in 1926, suffered heavy loss and failed utterly.

18. The attack on the main part of the Middle Atlas began on the 7th July, and, with the exception of some resistance in the forest of Tafert and at Timesmant, the 15,000 troops, supported by tanks and native levies, accomplished their task in little more than a month. By the end of July, the "Tache" may be said to have disappeared from the map of Morocco, although a state of security does not yet exist.

19. Another offensive on a very small scale was conducted from Kenifra against a pocket of factious tribes occupying the sources of the Moulouya. Three small battalions of the Foreign Legion, two companies of tanks, a platoon of motor machine guns, five batteries of artillery, and 1,000 native levies moved forward on the 31st August, and by the 3rd September they had occupied without a single casualty the important stronghold of Aghbala in the district of Bou Attas.

20. It can now be appreciated that the revolt of last year, which finally stirred the French Government to action, and made them realise that a serious effort was necessary if the occupation of Morocco was to continue, has proved to have been, in the end, a fortunate event, apart from the very unnecessary and heavy loss of life in 1925. The tripling of the effectives in Morocco allowed the higher command to undertake and to accomplish successfully what Lyautey could not have done in five years with the garrison allotted to him. It is a favourite saying among the officers of the Lyautey régime that it took a quarter of a million French and Spanish soldiers to send Abd-el-Krim to Réunion. They say that the Riff danger still exists and that the Middle Atlas can never be pacified. I think that they look at the position with jaundiced eyes. It will be many years before a new Riff leader can re-weld together the Riff *bloc*, and so make it a menace to the general peace. Even

if the Middle Atlas is not safe enough—it will never be picturesque enough—for tourists, it is already considered prudent to reduce the garrison there to less than half the 1924 figure. The army in French Morocco, excluding native levies, has already been reduced to about 80,000, and by the beginning of December will number only about 70,000. This is certainly an increase of about 13,000 on the 1924 figure, but it is 80,000 less than the army of 150,000 which was in the field in the spring of this year.

21. Only the test of time will show whether this force is sufficient. As the French army is a large one, I see no objection to their using Morocco as a training ground for as great a number of African troops as the public purse will allow; indeed, Morocco might well be made to pay much of the cost. There can be no doubt that numbers alone can provide, where the quality of the troops is decidedly poor, that feeling of security which will allow M. Steeg to carry out undisturbed his plans for the civil reorganisation so necessary. The Resident-General is on the horns of a dilemma. He must be able to show that his politics of peaceful penetration can yield early fruit, and the clearest way of demonstrating his success to the French Parliament is to reduce the size of the army. At the same time, he cannot take the risk of failure to bring about complete tranquillity at an early date, by inability through lack of troops to check in time one or more of the predatory bands still at large on the northern front or in the Middle Atlas.

Fez, October 15, 1926.

[**W 10744/827/28**] No. 2.

Consul-General Sir A. Ryan to Sir Austen Chamberlain.—(*Received November* 17.)

(No. 209.)

Sir, *Rabat, November* 8, 1926.

WITH reference to the penultimate paragraph of my despatch No. 192 of the 8th October, I have the honour to state that the marriages of the three eldest of the Sultan of Morocco's four sons took place at Marrakesh during the week ending the 30th October. The event was made the occasion of a great festival, which brought together a large number of notables from all parts of Morocco, including the Tangier and Spanish zones. The Resident-General and his personal staff went to Marrakesh and played a conspicuous part in the display, but there was no general mobilisation of high French officials, nor even foreign official representatives invited to attend. The idea appears to have been to combine a maximum of parade and publicity with the principle that the marriages were essentially a matter of domestic concern to the Sultan and his family.

2. I enclose a copy of an extremely interesting despatch in which His Majesty's consul at Casablanca, who witnessed the festivities in person, gives a very full account of the whole affair. The liveliness of Mr. Selous's despatch does complete justice to the atmosphere which prevailed on this unusual occasion, although I should hesitate to associate myself unreservedly with the somewhat severe reflection in paragraph 4 on capacity for staff work of the Celtic race to which Mr. Selous believes the French to belong. In the last paragraph he gives particulars of the alliances and disposes of the current rumours that they have established any particularly close connection with the Glaoui family, although an existing, not very close, connection has been continued.

3. A curious rumour obtained great currency in Fez to the effect that the Sultan himself was to be one of the bridegrooms on this occasion. The story went that His Majesty intended to contract a regular marriage, for the first time in his life, it was alleged, and that his choice had fallen on the daughter of El Mokri, the Grand Vizier, after a struggle of influence between that dignitary and the Grand Chamberlain. I have had no confirmation from any other source of this rumour, and have no reason to suppose that the Sultan married anyone at all. Indeed, various people who saw him during the festivities were struck by the carelessness of his appearance and attire. According to their accounts, His Majesty was far from presenting any bridal air. I mention the matter merely because it is singular that

gossip, of which there has been, so far as I know, no breath elsewhere, should have been so widespread in Fez, one of the sounding boards of Morocco.

4. I am sending a copy of this despatch to His Majesty's consul-general at Tangier.

I have, &c.
ANDREW RYAN.

Enclosure in No. 2.

Consul Selous to Consul-General Sir A. Ryan.

(No. 182.)

Sir, *Casablanca, October* 31, 1926.

I HAVE the honour to report that, an unexpected opportunity presenting itself to me on the evening of Tuesday, the 27th October, of joining some friends from Tangier and Tetuan who were on their way to Marrakesh to witness the festivals attendant upon the marriage of the Sultan's three sons and a daughter, I proceeded to the southern capital on the morning of Wednesday, the 28th October, where, more or less under native auspices, we were able to see and hear not a little of the imperial rejoicings.

2. M. Steeg and his entourage had arrived in Marrakesh on Monday, the 26th October. It is the Resident-General's admitted custom to study the barometer and meteorological reports with some attention before visiting the towns of North Africa. This is due, I understand, to the fact that, at the commencement of his term of office in Algeria, he had had the misfortune to make his first ceremonial visits to the provinces in floods of rain and much attendant discomfort, which, however, was mitigated by the compliments of an agricultural population, which, whilst revering their Governors, rejoiced unreservedly at the advent of rain in a thirsty land. Ever since that date, then, M. Steeg has been compelled to sacrifice a natural leaning towards warmth and comfort to the crushing necessity of maintaining a growing reputation for being a Bringer of Rain, a Father of Water, &c., So carefully did he and his staff work to maintain this tradition that M. Steeg became known as "Le Gouverneur de l'Eau," and it was merely in pursuance of this "water" policy that M. Steeg succeeded in landing at Casablanca last year in order to take up his duties in Morocco in a torrential downpour. On the occasion under review, however, the Resident-General arrived at Marrakesh in sultry weather, and the usual afternoon duststorms of the last five months continued without a break. I received a perfectly satisfactory explanation of this matter yesterday afternoon in the course of a reception given at the Residency here, when Mme. Steeg explained to me that, shocked at the idea of the public rejoicings being spoilt by rain, she had begged her husband to delay the rain till after the fêtes. This, she was relieved to say, M. Steeg had succeeded in doing, and she had that morning learnt (as, indeed, had I, from independent sources) that heavy rain had begun falling at Marrakesh at 3 A.M.

3. There was no particular atmosphere to notice at Marrakesh on Wednesday, the chief day of the royal marriage ceremonies, at any rate in the town and the outer precincts of the wide-spreading palace grounds. I will refer later to the atmosphere within the palace walls. There was no "electric" sensation to be felt or to be observed amongst the native population, of which—apart from the numerous tribal contingents in from the country districts to provide powder-play parties or escorts for their kaids—only the tatterdemalion rabble assembled in the Koubba Souira parade-ground ("Meshwar") to witness the grand afternoon ceremony of the Big Henna day, when the young Princes, accompanied by twenty-two other bridegrooms, all riding horses and with their white sulham hoods dropped down over their faces to shield their shy gaze from the public eye in deference to their pre-nuptial bashfulness, and escorted by the Grand Chamberlain ("Hajib") and other kaids and Court dignitaries mounted upon sleek mules, rode forth from the inner palace courts to visit the Sultan who awaited them in the Koubba Souira. This ceremonial riding precedes the actual daubing of the hands with henna, which, in fact, took place that night within the palace.

4. This part of the afternoon's ceremony was accomplished with the customary lack of staff work so evident on all these occasions. Unexpected waves of rabble ebbing and flowing across the parade ground where an Englishman would faint at the thought of being seen; late European arrivals in motor cars coolly drawing up in a

new line in front of their earlier, more disciplined fellows and the Sultan's Black Bodyguard notwithstanding their many inches and their fixed bayonets; and the forming, dispersing, and constant re-forming of a small group, as unscrupulous as curious, of journalists and nondescript spectators in close proximity to and rather outrageously ahead of the handsome tent reserved for the Resident-General's party, thus securing, perhaps, the best view of all of the finest powder-play fantasia it has ever been my lot to witness, all combined to throw into relief the Celtic lack of ceremonial staff-work capacity.

5. This formed the second part of the ceremonies and continued without a stop for over an hour whilst the Sultan from the upper storey of his kiosk and M. Steeg and his party from their marquees watched the continuous waves of galloping, volleying horsemen charge up to within a few yards of the Koubba, where the Kaid-el-Meshwar, with deprecating smile and gesture, restrained the dying rush lest the dust should envelop His Shereefian Majesty. At a certain moment M. Steeg was sent for by the Sultan and had audience of His Majesty some twenty minutes, at the end of which Mulai Yusef, who appeared to me to be in really happy mood (as judged by his appearance when I have seen him on previous occasions), requested the Resident-General to decorate certain kaids and dignitaries, gracefully adding that he would on a subsequent occasion when there were Europeans to decorate himself assume M. Steeg's rôle. Thereupon the Grand Cordon of the Ouissam Alaouite was bestowed upon Hadj T'hami Glaoui, the well-known Basha of Marrakesh, Si T'hami Abadou, the "Hajib," and Hadj Kaddour Benghabrit, the Sultan's Director of Protocol—an Algerian of the most gallicised type, an honorary Minister Plenipotentiary with a most remarkable knowledge of the French language, habits and ways, an ardent player of poker, and last (so I am credibly informed) an aspirant to a seat amongst the Immortals, *i.e.*, the French Academy, whilst the Cross of Grand Officier was bestowed upon Kaid-el-Ayadi, quondam highwayman, and Kaid N'Tougui, the octegenarian doyen of the southern tribal chieftains. The usual staff work hitch occurred at about this point, there being no insignia at hand to bestow. General Daugan, G.O.C. the Marrakesh Command, solved the situation by removing his own ribbon and cross of this order, which were then used, in skipping-rope and quoit fashion, to bedeck the five happy recipients of their Royal Master's marks of approval. An interesting feature was the traditional Makhzen (Government) dress of the four Moors honoured, who were without sulham or turban and wore the pointed red fez. The effect of this dress is to make grand seigneurs such as these kaids are look like Mekhaznis, or Government ushers, and, as such, they were obliged to make grand obeisance, forehead to the ground, a ceremony not without relish to Mulai Yusef, who no doubt took a not unmischievous delight in seeing the autocratic Basha of Marrakesh in this submissive posture.

6. In the evening, on the European side, there was a gala dinner at the Bahia Palace, where the Resident-General entertained the Sultan and Court and Residency officials. This was followed by a general reception and dance, admittance to which was gained by a public invitation in the press. On the following day M. Steeg left for Casablanca.

7. Before turning briefly to the Moorish finale of the day, I must, in justice to my attempt, Sir, to lay before you a cursory picture of the Royal marriage festivities, endeavour to draw a quick sketch of a figure which speedily caught my curious gaze. Brigadier-General Mougin, a man of tall and almost commanding presence, is chief of M. Steeg's military cabinet, and during the whole of the day described above he was the Resident-General's very *alter ego*, to the complete and, to many, distressing exclusion from the front rank (material as well as moral) of the afternoon festivities of popular Major-General Daugan. With a walking stick in his right hand and his left in his trouser-pocket, he was conspicuously alert, drawing M. Steeg's attention at one moment to some point of interest, or, at another, in almost patronisingly gallant attitude, escorting Mme. Steeg to see some native musicians industriously beating their tom-toms as they squatted on the ground, or, yet again, in manner absurdly reminiscent of a famous Ipswich bye-election, paternally patting upon the cheek little palace boys who, with their tutors, watched the sport. "Monarch of all he surveys" sprang unbidden to my mind as, with fascinated eye, I found myself time and again watching him gaze around from a vacant point with who should say the self-satisfied smile of a complacent showman as the afternoon's fantasia progressed or the evening reception-dance went on. A man of over-weening ambition, perhaps, and one whose future career may well be worth watching. Also, admittedly a first impression, derived from very slender data; nevertheless, a first impression.

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9. I have alluded above, by implication, to a native, or Moorish, side to the evening festivities with which the Big Henna day closed. The actual ceremony of daubing the hands with henna, with which an agg has been mixed, is a ceremony amongst many to help avert the evil eye and all evil influences which, so Moorish traditions has it, are very rife at the marriage season. This ceremony was performed in the privacy of the palace courts between 9 and 10 P.M. Although, in the event, too late actually to witness the application of the henna, my companions and I, sailing this time under the Moorish ticket, had the great good fortune to be admitted, thanks to the good offices of Hadj Mehdi-el-Menebhi (specially called to Marrakesh by the Sultan to attend the marriage), into the palace precincts, and wandering through outer court after court—all ablaze with fireworks and enormous yellow candles held by the numerous slaves—until we reached the court where the henna ceremony had taken place, and where strings of electric lights and a brilliantly lighted sky-sign representing in red lights a star and crescent turned night into fairy day. Here we met Hadj Mehdi-el-Menebhi, literally gently weeping with pleasurable emotion, from whom we learnt that the Sultan and all the Shereefian family were exceedingly happy and immensely pleased with the festivities and, above all, with the marriages, which were to the taste of all the parents and participators alike. Contrary to my experiences earlier in the day, I was aware of quite an atmosphere of rejoicing amongst the thousands of Moors within the palace grounds on this occasion. The fireworks and, above all, the maroons, which were so constant and so really deafening that a representative of Brock's might have been left pensive, had taken possession of the simple Moor, and for the moment he was content to forget the forthcoming strain upon his pocket which, passed on to him by and through the Basha—universal provider and good fairy on occasions such as these—would attain him sooner rather than later. For, in Morocco, the privy purse is short, and Royalty marries, but the subject pays. Incidentally, a further reason for the general cheerfulness of the Shereefian household is to be found in this, that Mulai Yusef and all his family and Court cordially detest the palace at Rabat which is so limited in area as to make them feel prisoners. At Marrakesh, on the contrary, and, as you are aware, the Dar Makhzen is very spacious indeed and has attached to it the really vast Agdal, or palace gardens, where liberty and excursions can be found and made. To a considerable degree these arguments apply to the Dar Makhzen at Fez, but, so I am given to understand, Mulai Yusef is not popular in the northern capital, where, no doubt, he is despised, rather unfairly perhaps, by a large educated class for being the puppet he is. In Marrakesh, on the contrary, the population is much more ignorant and very noticeably more sunny and smiling, and one can, therefore, sympathise with Mulai Yusef and his entourage whenever they succeed in breaking back to Marrakesh, whence the Protectorate authorities always have trouble in extricating their *protégé*.

10. In conclusion, it may be of interest to record the details (correct, I have every reason to believe, as far as they go) which I was able to obtain, chiefly from well-informed native sources, as regards the persons to whom the Royal children were being married. They are as follows :—

(a.) *Mulai Idris*, eldest son of Mulai Yusef, has married the third daughter of Mulai Mustafa, Kadi of Marrakesh, and uncle of the Sultan. The bride's mother is a sister of the reigning Sultan, a great favourite of his, and (so I am informed by Mme. Daugan) a woman of remarkable character and capacity. The bride is a year or two older than her husband, and is also said to be possessed of a sweet disposition and considerable character. The fact that this is a marriage of first cousins has not prevented the Shereefian family, I learn, from looking upon the alliance as a peculiarly happy one. Mulai Idris is some 19 years old.

(b.) *Mulai Hassan*, bearer of his famous grandfather's name, has also married a first cousin in the person of the daughter of Mulai Tahar, brother of Mulai Yusef. I was unable to secure reliable information as regards the bride's mother.

(c.) *Mulai Hammad*, the youngest (and, in the opinion of many, too young) Royal bridegroom, has likewise married a first cousin, his bride being a daughter of the last Sultan Mulai Hafid, by a daughter of the late Si Madani Glaoui, Grand Vizier and elder brother of Hadj T'hami Glaoui, Basha of Marrakesh. It is, probably, this connection with the Glaoui family which has given rise to the very current rumours that the Basha of Marrakesh was providing two brides for the young Princes. From General Daugan I learn that Hadj T'hami, on the contrary, was very determined that no daughter of his should marry into this Royal stock, which he looks upon as physically deteriorated.

(d.) *Lilla ?*, Mulai Yusef's daughter, was given in marriage to her first cousin and newly-made brother-in-law, the son of Mulai Tahar, mentioned at (*b*) above. This shereef, therefore, has allied himself doubly with his imperial brother by marrying both a son and a daughter into the reigning branch of the Alaouite dynasty. It may be of passing interest to note that the title "Mulai" is not indicative of royalty, but of—if I may be pardoned the word—" shereefdom."

I have, &c.
G. H. SELOUS.

[W 11116/827/28] No. 3.

Consul-General Sir A. Ryan to Sir Austen Chamberlain.—(*Received November* 29.)

(No. 215.)

Sir, *Rabat, November* 16, 1926.

WITH reference to the third paragraph of my despatch No. 209 of the 8th November, I have the honour to state that I was mistaken in making light of the report that the Sultan of Morocco had himself contracted a marriage during his visit to Marrakesh. His Majesty's vice-consul at Fez, who was the source of my original information and was himself astonished to find that Europeans who had actually attended the Marrakesh festivities seemed to know nothing of the matter, has since ascertained on incontrovertible authority that the Sultan did in fact marry the daughter of his Grand Vizier, a lady who was formerly the wife of his brother and predecessor Moulay Hafid. Her name is given as Rehaya.

2. It is curious that so little publicity was given to this event in Morocco amid the blaze of advertisement with which the marriages of the Imperial princes was surrounded. Certain foreign journalists, however, got hold of the news. I believe it has appeared in at least one English paper, and Colonel Mackereth has drawn my attention also to the following passage in the Paris "Illustration" of the 6th November, which fully confirms his information, except as regards the lady's name :—

> "Quelques jours auparavant [*i.e.*, before the marriage of the princes], un autre mariage avait été consacré, mais sans aucune somptuosité extérieure, celui du Sultan lui-même avec l'ancienne femme de Moulai Hafid, Aicha. Il n'y eut ni fantasia ni diffa de noces, mais seulement, à l'intérieur du palais, un cortège aux flambeaux, qui escorta l'épousée jusqu'à la chambre conjugale où le Sultan l'attendait, parmi des cierges multicolores et les fumées d'encens s'échappant des cassolettes. La veille Moulai Youssef avait visité les mosquées abritant les tombeaux de saints vénérés de l'Islam, et immolé neuf taureaux dont la chair fut offerte aux indigents aveugles."

3. These matters are perhaps of little present political importance. They are nevertheless worth recording because the present attitude of the French towards the Sultan is somewhat calculated to enhance his importance and there are certain slight signs of his taking a line of his own on occasion. It is hardly conceivable that he should achieve any real independence of action in the larger affairs of State within any measurable time, but the tendency of both parties to the protectorate system is such as to invest the Sultan and therefore his Moorish entourage with more interest than they have possessed for some time. The Mokri family, into which he has married, is one of the richest in Morocco, and its principal member is attached to the French cause, thanks partly, I understand, to judicious expenditure of money in 1912. It does not necessarily follow that the alliance will redound to their advantage; for while, according to one story, it represents a triumph for the Grand Vizier in a struggle for influence between him and the Grand Chamberlain, another version is that the Sultan was enamoured of the lady, but that the Chamberlain is still powerful and may be able to gratify his disappointment over the marriage by "getting at" the Mokris in other directions.

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4. I may conclude with two interesting points, which illustrate peculiar features of Morocco even under European tutelage. One is that the Sultan is reputed to have made a small fortune out of his sons' weddings. The important personages who were whipped up from all parts of the country know that substantial presents were expected of them, and those who are in a position to do so will doubtless recoup themselves in a liberal spirit, so that the Sultan has really drained a good deal of money out of the population as a whole. The other point is that one of the Mokri family, a nephew of the Sultan's bride, has just secured the appointment of clerk in the British post office at Fez. It is gratifying to think that even as Morocco is to-day so minor a post in British employment should attract so highly connected a young man.

5. I am sending a copy of this despatch to His Majesty's consul-general at Tangier.

I have, &c.
ANDREW RYAN.

P.S.—I enclose a despatch from His Majesty's vice-consul at Fez, which reached me after I had written the above report, which is based, however, on personal conversation with Colonel Mackereth.

Enclosure in No. 3.

Vice-Consul Mackereth to Consul-General Sir A. Ryan.

(No. 185.)

Sir,

Fez, November 9, 1926.

IT is, I think, extremely curious that so little appears to be said in official circles and that no mention appears in the Moroccan press of the espousal by the Sultan, Moulay Youssef, of a daughter of his Grand Vizier, El Mokri. I have therefore the honour to bring this fact to your notice, for it is not without political significance; indeed, it is probably a more important event than the much-advertised marriages of three of the Sultan's sons with which it synchronised.

2. Rkhaya is the lady's name. She was previously married to the deposed Sultan, Moulay Hafid, by whom she had one boy, Moulay Sliman, who is now 12 years old. Moulay Youssef was so satisfied with his choice, it is said, that he presented his bride with 500 golden louis the day after the marriage.

3. The Mokri family is perhaps the most influential in Morocco. It was, it will be recalled, the influence of Rkhaya's father that the French bought for 1 million francs in order to arrange matters that led up to the signature of the Protectorate Treaty in Fez in 1912.

I have, &c.
GILBERT MACKERETH.

[W 11455/11455/28] No. 4.

Consul-General Sir A. Ryan to Sir Austen Chamberlain.—(Received December 9.)

(No. 221.)

Sir,

Rabat, November 30, 1926.

WITH reference to my despatch No. 45 of the 28th August, 1925, I have the honour to state that the budget of the French Protectorate for the year ending the 31st December, 1926, was published in the "Bulletin officiel" of the 16th November. I drew attention last year to the improvement in administrative arrangements shown by the comparatively early publication of the budget. This year there has been a relapse in this respect, a fact which must, I think, be put down to the uncertain financial situation during the middle part of the year, as I know that the preliminary estimates were ready quite early in the spring. Nevertheless, so far as totals are concerned, the final figures do not differ very materially from those given in the preliminary estimates.

2. The budget, as printed in the "Bulletin officiel," is only a summary. The receipts are not shown in the same detail as in previous years. The following table gives the figures for 1925 and 1926 in a comparative form :—

Estimates of Expenditure.			Estimates of Receipts.		
—	1925.	1926.	—	1925.	1926.
Ordinary Budget.	Fr.	Fr.	*Ordinary Budget.*	Fr.	Fr.
Debt charges	61,448,257	101,603,169	Agricultural tax ("tertib") ..	76,800,000	Separate items not given in "Bulletin officiel."
Expenditure other than debt charges	280,650,829	305,312,603	Customs	89,600,000	
			Consumption duties on sugar and alcohol	59,305,000	
			Posts and Telegraphs ..	16,215,500	
			Other receipts credited to ordinary budget	100,264,460	
Total of ordinary budget ..	342,099,086	406,915,772	Total of ordinary budget ..	342,184,960	407,422,020
Special Budgets.			*Special Budgets.*		
Expenditure chargeable to proceeds of loans	50,682,725	70,517,088	Proceeds of loans and connected operations	50,682,725	70,517,088
Expenditure chargeable to reserve fund and other specially affected resources ..	38,514,000	58,934,000	Specially affected resources ("taxe spéciale")	18,000,000	Not given separately.
			Specially affected resources (reserve fund)	11,329,000	14,349,000
			Specially affected resources (miscellaneous)	9,185,000	Not given separately.
Grand total of expenditure	431,296,811	536,366,860	Grand total of receipts ..	431,381,685	536,873,108

3. The preliminary estimates prepared early in the year, of which I have a copy, contemplated a considerable rearrangement of the different sections of the budget. This accounts to a large extent for the heavy apparent increase in debt charges. Part of it is a real increase due mainly to the necessity of providing for the service of the 1910 loan in pesetas, a charge of 5 million francs in respect of an agreement under which the Compagnie des Chemins de Fer du Maroc lent 50 million francs to the Protectorate at 10 per cent., and an increase in the contribution payable towards certain pension funds; but a considerable portion of it is due to the transfer to debt charges of items which have hitherto figured elsewhere, notably, the major portion of the Moroccan contribution to the French military budget. In the 1925 budget this contribution was apportioned as to 20 million francs in a different chapter of the ordinary budget, and 6,350,000 fr. in the special budget of expenditure chargeable to "specially affected resources." In the preliminary estimates for 1926, which have evidently been followed pretty closely in the final estimates, it stands at 23,220,000 fr. under the heading of debt charges, and 3,130,000 fr. in the said special budget.

4. Notwithstanding the rearrangement mentioned in the preceding paragraph, the general plan of the budget is the same as in previous years, *i.e.*, it consists of Part 1, ordinary budget, Part 2, budget of expenditure chargeable to loans and connected operations, and Part 3, budget of expenditure chargeable to reserve fund and "specially affected resources," including the Protectorate share of the "taxe spéciale"; Parts 2 and 3 as usual balance automatically and they do not appear to present any novel features. Each shows an increse of about 20 million francs on both sides as compared with 1925. It is still the policy not to make any new issue of the loan sanctioned in 1920, the proceeds of the first two issues of which have been nearly exhausted; and to rely on provisional expedients like the arrangement with the Compagnie des Chemins de Fer, which I have already mentioned in a different connection. As for Part 3, the preliminary estimates, which have probably not been varied in the final estimates, contemplated new expenditure of 14,349,000 fr. out of reserve, and 44,585,000 fr. chargeable to "specially affected resources." In estimating the latter the expected yield of the "taxe spéciale" was put at the high figure of 29,375,000 fr., as compared with 18 million francs in the estimates for 1925.

5. The ordinary budget shows an increase of about 65 million francs on each side as compared with 1925. This is the largest increase which has been made from one year to another since the great leap taken in 1921. The statement prefixed to the preliminary estimates recognises that the increase is even greater than it appears, and that owing to another of the adjustments mentioned above it must really be put

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at about 68,500,000 fr. The statement puts down the increase on the expenditure side to well-known causes as follows:—

"Dépréciation de la monnaie qui a entraîné l'augmentation des traitements des fonctionnaires, du salaire des auxiliaires, du prix des fournitures et des travaux; répercussion des événements du Riff qui occasionne au Protectorat diverses dépenses politiques et militaires; impossibilité de contracter des emprunts publics d'où découle la nécessité d'effectuer la plus grande somme possible de travaux de premier établissement sur le budget ordinaire; enfin accroissement des charges de la dette publique par suite d'emprunts à court terme destinés à financer les grands programmes de travaux; par suite également de la hausse de la peseta espagnole, monnaie avec laquelle est fait le service de l'emprunt 1910."

The estimated increase in receipts necessary to balance the augmented expenditure is provided to a small extent by new taxation, notably the new consumption duties on tyres, petrol, matches and playing cards. It is claimed that the remainder will be made up by an increased yield from the principal taxes, more especially the agricultural tax and the customs duties which, other things being equal, increase automatically with rising prices. The introductory statement says that the yield from each of these exceeded expectations in 1925 by about 30 per cent.

6. The following isolated facts are of some special interest:—

(*a.*) The budget for 1925 made no provision for the cost of the Tangier police "tabor," for which provision had been made in the 1924 budget to the extent of 1,550,000 fr. to cover six months. This charge is reinstated in the estimates for 1926, with an estimate of 2,340,000 fr., but it is assimilated to debt charges. An explanatory note states that the Tangier tabors, the cost of which was borne up to 1924 by the Shereefian budget, were to give place to a gendarmerie force chargeable to the international zone, but that it had been decided in agreement with the Ministry for Foreign Affairs to maintain Tabor No. 1 owing to the Riff situation in order to ensure the security of the zone "de concert avec la gendarmerie."

(*b.*) The bulk of the military expenditure in Morocco continues, of course, to fall on the French budget. I have seen no final statement of what it amounted to in 1925, but it must have been heavy. The Moroccan contribution to the French military budget, as such, amounted as already stated to 26,350,000 fr., but by including other items the total military expenditure chargeable to Morocco was shown at 45,429,102 fr., as compared with 46,027,537 fr. in the estimates for 1924. So far as I can judge from the preliminary estimates for 1926, a conservative policy seems to have been followed. It would therefore appear that for the moment there is no tendency, notwithstanding the Riff war, to increase the military burdens of the Protectorate itself.

(*c.*) The Protectorate still appears to hold a satisfactory reserve. I am unable to understand exactly how it stands from the material in my possession, but the introductory statement to the preliminary estimates for 1926 claims that the total available after allowing for a considerable expenditure of an almost entirely military character comes to about 43 million francs, of which 30 million francs are invested in French stock and are blocked under relevant legislation, in order to cope with eventual budgetary deficits.

7. In my despatch under reference, I maintained a previously expressed view that the financial policy of the Protectorate was in the main sound. I see no definite reason to alter this opinion, but I am more doubtful than I was last year as to whether the economic position of the French zone is sufficiently assured to stand so rapidly increasing a budget. It may be easier to form a considered opinion a year hence, as it would appear from a recent statement by M. Steeg, which forms the subject of a separate despatch, No. 222 of the 30th November, that it has now been decided to embark on a policy of considerable development.

8. I am sending a copy of this despatch to His Majesty's consul-general at Tangier.

I have, &c.
ANDREW RYAN.

CHAPTER II.—TANGIER ZONE.

(a.) Spanish Claim to Tangier and Arrangements for Tangier Conversations.

[W 6445/223/98] No. 5.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 180.) [By Bag.]
(Telegraphic.) *Foreign Office, July* 12, 1926.

I LUNCHED at French Embassy to-day to meet M. Caillaux.

I took the opportunity to tell M. de Fleuriau of the effort I had made to persuade the King of Spain not to withdraw Spanish participation in the work of the Council and Assembly of the League of Nations. I thought that the King was impressed by some of my arguments and himself desired to find a solution satisfactory to Spanish pride. He had hinted that if we could not give Spain a permanent seat we might give her satisfaction elsewhere.

The Ambassador asked if His Majesty had mentioned Tangier.

I replied that he had suggested some sort of mandatory position under the League of Nations, to which I had answered that Italy would never agree to that proposal. His Majesty had appeared to think that he could easily obtain the assent of M. Mussolini. I had said that if he brought us Italian assent, the British Government would not object to a mandate, and that I did not suppose the French Government would either, as the important thing for both of us was that Tangier should be neutral and internationalised.

I further told the Ambassador of my offer to meet General Primo in Paris if the general wished it and it was agreeable to M. Briand, and if the general felt that, after his conversations with M. Briand and what had passed between King Alfonso and me that such a visit would produce a settlement. I invited the Ambassador to inform M. Briand.

[W 6553/223/98] No. 6.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 2046.)
My Lord, *Foreign Office, July* 15, 1926.

THE French Ambassador told me to-day that he had reported to M. Briand what I had related to him in regard to the conversations which had passed between King Alfonso and myself (see my telegram No. 180 of the 14th July). M. Briand had informed him that, on account of the short stay which the Marquis d'Estella was making in Paris, and of the celebrations which coincided with his visit, the opportunity for a conversation *à trois* had not arisen, but if, as was probable, the Marquis came to Paris again, M. Briand thought that such a meeting might be useful. M. Briand had not gone deeply into the question of Tangier with the Marquis, but in answer to my observations, as reported by M. de Fleuriau, he had observed that France had helped Spain to win a victory in Morocco of which she stood in great need and to reoccupy regions which a short time before she had decided to abandon. France, therefore, was not in Spain's debt. M. Briand had further informed M. de Fleuriau that he did not think that the Marquis had any very clear perception of what he desired in Tangier nor did he believe that any concession that it was within our power to make in that sphere would change his attitude in regard to the Council of the League. M. Briand thought it impossible that we should reopen the Statute of Tangier, but he was ready to seek the means of giving some satisfaction to Spain in that quarter, as, for example, in respect of the Tabor or some such matter, though he believed that what Spain really required was some further assurance as to her election to and tenure of one of the contemplated semi-permanent seats.

I told M. de Fleuriau that, since I had my last conversation with him, I had received first a message from King Alfonso and then a personal communication at a chance meeting. In the first of these he had said that he thought a meeting between the Marquis d'Estella and myself would be useful, but that it had better take place at a later time and not in immediate connection with his own visit to this country.

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His Majesty had indicated that at the moment I might find the Marquis more *intransigeant* than himself, and that perhaps the lapse of a little time might give better prospects of success. I had expressed my entire concurrence with His Majesty's view. I had said to His Majesty that what was essential from the British point of view was that Tangier should continue internationalised, and that it should not be open to any Power, whether ourselves or France or Spain or anyone else, to make of it a *place d'armes*, but that, provided this result were obtained, the method by which it was reached was comparatively indifferent to us. I had derived from my conversations with King Alfonso the same impression as M. de Fleuriau told me that M. Briand had derived from his conversations with the Prime Minister, namely, that the Spanish Government had no very clear idea in their own minds of what they wished to ask. The King had first spoken to me of a mandate and I replied that that would meet with insuperable Italian opposition. The King had seemed to think that I was misinformed, and that, provided Italy were in the same position as Great Britain, she would raise no difficulty to any solution which gave that result. I had invited the King to produce Italy's assent to such a proposal and had said that in that case I did not think that he would meet with any opposition from the British Government; but later the King had mentioned almost casually the question of the police, as if that might afford the desired satisfaction to Spain.

As regards Spain's attitude to the Council, I thought that King Alfonso's views had been affected by what had been said to him here by my colleagues and myself. His Majesty knew that I was animated by the most sincere friendship for Spain and anxious to show that friendship. It had for this reason been a pleasure to me to do my utmost in support of the Spanish claim to a permanent seat; but I was an Englishman, my first duties were towards my own Government and I could only pursue an English policy. It was therefore primarily because I believed it to be in the interest of Great Britain, and more particularly of the League, that Spain should be a member of the Council that I had supported the Spanish claim. I had admitted that the resignation of Spain would be a misfortune for the League. If, however, I regarded the matter from the Spanish point of view, it seemed to me inconceivable that any Spaniard who knew the facts should voluntarily deprive Spain of the immense influence which she had exercised through her position on the Council for many years past and which she might continually exercise in the future. Provided she remained in the Council, she might speak the decisive word in the next great European crisis, for by her position and her outstanding influence she was the natural leader and spokesman of the neutral nations. All this was open to her as long as she remained in the League, but if she withdrew from active participation in the work of the Council, she would be without influence if such a crisis arose. King Alfonso had appeared impressed by this argument, and I believed that he himself now desired to find some way of reconciling Spanish pride to the acceptance of one of the semi-permanent seats, and that what we had to seek was some concession which would enable the Spanish Government to alter its attitude and yet to justify itself in the public opinion of Spain.

I am, &c.
AUSTEN CHAMBERLAIN.

P.S.—In a farewell conversation with King Alfonso at the station this morning, when His Majesty again spoke of his desire to help in a solution of the Council difficulty, I begged him to invite the Marquis d'Estella to consider in what way France and Great Britain could help him and to make suggestions to us.

A. C.

July 16, 1926.

[**W 7560/76/28**] No. 7.

M. de Ynclán to Sir Austen Chamberlain.—(*Received August* 16.)

(Confidential.)
Your Excellency, *Spanish Embassy, London, August* 14, 1926.

IT is the wish of my Government that, in the absence of the Marqués de Merry del Val, and as Spanish Chargé d'Affaires, I should express to your Excellency the high esteem with which they have learnt of your benevolent disposition towards the Spanish claim upon Tangier, and likewise that you should know that, following

your friendly and confidential indication, they are preparing with all due reserve to take certain steps in Paris conducive to obtain the French Government's acceptance of Spain's aspiration upon Tangier. The Spanish Government entertains great confidence in the decisive support which they sincerely hope your Excellency will grant us at the right moment.

I must add that should Spain be granted this point, which constitutes a national aspiration, the Spanish Government would find themselves in a position to be able to justify in the eyes of the whole nation the renouncement of the country's claim in the League of Nations, as the inclusion of Tangier in the zone of the Spanish protectorate of Morocco constitutes the only compensation which could appease and satisfy public opinion in Spain.

Needless to say that, during the Ambassador's absence, as Spanish Chargé d'Affaires I am at your Excellency's disposal for whatsoever you may need, and remain,

Yours sincerely,
MANUEL DE YNCLÁN.

[**W 7757/76/28**] No. 8.

Sir H. Rumbold to Sir Austen Chamberlain.—(*Received August* 19.)

(No. 375.)
Sir, *San Sebastian, August* 14, 1926.

THE Minister for Foreign Affairs arrived at San Sebastian to-day in order to give interviews to various heads of missions who had expressed the desire to see him.

2. His Excellency received me this morning, and after handing me a note about the recent Spanish decree regarding the importation of steels, said that he wished to speak to me about the Tangier question.

3. Señor Yanguas stated that the Spanish Government were anxious that the Powers which had adhered to, or might adhere to, the statute should agree to one or other of the following alternative proposals for the modification of the present régime in the international zone. These alternatives were, either that the Tangier international zone should be incorporated in the Spanish zone, or that the Spanish Government should be given a temporary mandate, which might be for twelve or fifteen years, over the international zone. They would give the necessary guarantees as regards equality of treatment in trade and other matters in the Tangier zone.

4. The Spanish Government were firmly convinced that under the present régime the international zone would serve as a base of supplies of arms and munitions for the tribes in the Spanish zone. They had also come to the conclusion that the statute was not really workable and that there would always be difficulties in its application.

5. I said that I had understood that the President of the Council had sent instructions to the Spanish Ambassadors in London and Paris definitely linking the question of the modification of the present régime at Tangier with Spain's attitude towards the League. Señor Yanguas confirmed this, but I do not find that your despatch No. 365 of the 12th instant, which reached me after my interview with Señor Yanguas, shows that the Spanish Ambassador put before you the above-mentioned alternative proposals with regard to Tangier in the form in which Señor Yanguas mentioned them to me. It is possible, however, that Señor Yanguas has been more explicit in the representations which he told me he had made at Paris on this subject, as he stated that he considered that Paris was the key to the situation. He also informed me that he was making representations in a similar sense at Rome.

6. In order to avoid any misapprehension with regard to what he had said to me, I repeated to him the statements he had made to me on this subject as I had understood them from him. He replied that I had correctly apprehended what he had said.

7. I then said that I supposed that the Spanish Government would expect to have a reply by the 24th instant to the alternative suggestions they had made for such a drastic modification of the present régime in the Tangier international zone. He replied in the affirmative and said that if the Spanish proposals were rejected Spain's attitude towards the League Council would remain the same as it is now. In the

event, however, of one or other of the Spanish proposals being accepted, the attitude of Spain towards the League Council would be modified. Spanish public opinion would have obtained the necessary satisfaction. He stated further that if the Spanish proposals were rejected the Spanish Government would consider the expediency of completely evacuating the present Spanish zone, though they would, of course, keep the Presidios, *i.e.*, Ceuta and Melilla. I imagine that this statement, which the Spanish Government probably intend to be something in the nature of a threat, is meant for our particular consumption, because they are well aware that the Spanish zone could not remain a vacuum and that another Power, presumably France, would take it over. This contingency, they think, would not be welcome to us.

8. I said that I supposed that as the Spanish Government had raised the major question of a mandate over the international zone or its incorporation in their zone, they were not for the moment interested in discussing the Italian conditions of adhesion to the statute or the proposed meeting of experts in Paris to settle that adhesion. He replied that these matters were, indeed, for the moment only of academic interest, and he apparently had not even heard of the intended meeting of experts in Paris. He said, however, that the Spanish Government were in agreement with the views of His Majesty's Government with regard to the Italian conditions of adhesion.

9. I asked Señor Yanguas whether he really thought he would obtain the acceptance by Italy of the Spanish proposals with regard to Tangier. The Italians had only just formulated their conditions of adhesion to the statute. Would they be likely to swallow the much larger proposal, except at a very high price? I then asked him what would be the attitude of the other Powers which had adhered to the Tangier statute, such as Belgium, Holland, Sweden and Portugal. He said that he supposed that they would follow the lead of the Great Powers in this matter. I said that in any arrangement which he might be able to come to with France as regards Tangier it would be necessary to observe the principle of the international character of the zone and prevent it from becoming a "place d'armes." He said that there would be no difficulty as regards the latter point, but he did not seem to appreciate the importance of the former.

10. He promised to keep me informed of the result of his representations at Paris, and wondered whether it would be possible for him to meet you in Paris when you are on your way to Geneva at the beginning of September.

11. I ventured to express an opinion over a year ago in one of my reports to you that General Primo de Rivera would not rest content with the Tangier statute but would raise the whole question at what he considered an opportune moment. Although his Excellency evidently considers the present moment as opportune, the Spanish Government appear to me to have raised the question in an ill-considered and hasty manner. I am not acquainted at first-hand with conditions in the Tangier zone, but I cannot believe that that zone will really constitute a danger in future to the Spanish zone owing to its reported facilities for supplying arms and munitions to the tribes in the interior. It is also curious that the Spanish Government should declare that the statute will always prove unworkable at a moment when there is a good possibility of securing the adhesion of Italy, whose non-adhesion has no doubt until now had a prejudicial effect on its working. It is also evident that the Spanish Government have not thought out the possible effect of their proposals on the Powers which have already adhered to the Tangier statute, whilst they would seem to be optimistic in expecting to get a reply to these proposals at such very short notice.

I have, &c.
HORACE RUMBOLD.

P.S.—I should have mentioned in the body of the despatch that when speaking to me of the contingency of the Spanish Government withdrawing altogether from their zone, Señor Yanguas said that in view of the recapture of Sheshauen and other places, such a withdrawal would be less difficult for Spain. Had the Spanish Government decided to withdraw from their zone some time ago they would have had the appearance of having been driven from the zone.

H. R.

[W 7863/76/28] No. 9.

Sir H. Rumbold to Sir Austen Chamberlain.—(*Received August* 23.)

(No. 381)
Sir, *San Sebastian, August* 18, 1926.

I HAVE the honour to report that the President of the Council recently made a statement to a representative of the "A.B.C." in regard to the attitude of Spain towards the Tangier question.

2. It was not Spain, he said, who had raised this question, but she had to follow it with the closest attention. She was convinced that an injustice and a mistake had been committed when Tangier had been excluded from the exiguous protectorate assigned to Spain in Morocco. It seemed to imply a lack of confidence in her powers of administration, or in the loyalty of her intention to maintain its neutrality in every possible eventuality. After her seventeen years of administration, and after she had passed through the test of difficult neutrality in the great war, and had sacrificed in Morocco some 40,000 lives and more than 5,000 millions of pesetas, he thought that it was not much to ask that Tangier should be included in Spain's protectorate, and that its administration and the maintenance of its neutrality should be confided to her. "If we do not succeed in this," he said, "it will be a matter for consideration whether, now that we have brilliantly vindicated the honour of our arms in Morocco, it is worth our while to spend a couple of hundred millions a year for the maintenance, in an international Tangier, of a possible nest of new conspiracies and an easy method of rearming the Moors."

3. Tranquillity would not reign at Tangier, nor would the European horizon be cleared of this cloud, more threatening than it looked, unless and until Spain was completely and definitely entrusted with the administration and government of the city and the care of the bay and positions, under conditions to be determined. Any other policy would be unstable and dangerous. Tangier, in the hands of Spain, included in its zone of protectorate, would not constitute a danger to anybody, and would be a guarantee to all. Those who did not realise this were blind and would regret their error, for otherwise it would not be long before Tangier would be the cause of grave international difficulties.

4. There was no precedent for the manner in which Spanish Morocco had been deprived of its most vital and important organ, and some remedy must be found. Otherwise Spain would lose heart as well as her confidence in the justice of the great Powers, who did not take into account the effort she had made to collaborate in the world work of progress and of peace.

5. "I cherish the hope," he concluded, "that the great friendly nations with whom the decision in the matter rests will, in their own interest and from a sense of justice, support this solution, which is the only one which can and will avoid regrettable difficulties if it is adopted in time."

I have, &c.
HORACE RUMBOLD.

[W 7874/76/28] No. 10.

M. de Ynclán to Sir Austen Chamberlain.—(*Received August* 24.)

(Translation.)
Sir, *Spanish Embassy, London, August* 23, 1926.

THE Government of his Catholic Majesty has instructed me to submit for your Excellency's consideration the Spanish point of view in regard to the problem of Tangier as defined in the recent statement by the President of the Council of Ministers, General Primo de Rivera. Spain has proved, by acts which are well known, her breadth of view and her spirit of sacrifice in the common interest every time that it is sought to discover a formula to settle the everlasting question of Tangier.

By accepting in the treaties of 1904 and 1912 the amputation of Tangier, a "living cell" of her protectorate; by participating in the drafting of the inter

national statute, in spite of the fact that she did not place in the practical efficiency of the latter a trust which, as subsequent events have proved, would have been unjustified, she showed herself disposed to agree to any renunciation in order to facilitate the international régime. Her attitude would be identical at the present day if the international régime showed that it was going to last. But the breakdown of the experiment is notorious. The goodwill of those who imagined it has been shattered by realities, and the problem of Tangier continues to be to-day, as it always was, the motive of anxiety and eternal preoccupation for the States to whom it is of importance to assure that this vital part of the strait shall not be used as a military or naval base.

His Majesty's Government are profoundly convinced that the most just and at the same time most suitable solution in the supreme interest of universal peace would be to incorporate Tangier in the Spanish Zone of Morocco, or to adopt another practical and lasting solution which would be free of the complicated and illegal mechanism of internationalisation. Tangier is geographically and economically bound up with the Spanish zone of the protectorate, and does not contain the necessary elements to enable her to carry on a separate existence. The Spanish Government has sought to facilitate the application of the statute, and with this object in view and at the cost of economic sacrifices has lifted the customs barrier, but they naturally cannot do without an autpost line ("un cordon de vigilancia") along the frontier of the widespread outer zone of Tangier, which, against our wishes, always interferes with communication between the city and the interior of Morocco. The commerce of Tangier is in a critical condition owing to its isolation. The small value of the Hassani peseta, which is a consequence of the separation of our zone, makes life more and more difficult. It is difficult to find work for all, and Communism is beginning to ferment in a working class which is unable, under the present régime, to discern any energetic and protective action suitable to the circumstances, in dealing with problems of the moment, on the part of the authorities.

His Majesty's Government consider that it would be unnecessary to lay stress on the importance which such a focus of Communism might obtain in the growing Islamic movement at the very gates of Western Europe. Spain is carrying out in Northern Africa a work of civilisation for the benefit of all, more than for her own advantage. Her immense sacrifices have as their object the guarantee of the neutrality of the North African coast and the opening up of a road for free communication and the commerce of all, on a footing of perfect equality and without any differentiation of treatment whatever. It would be unjust to deny her the indispensable means of carrying out this work, which she will never see completed if Tangier continues to be a sanctuary for rebels, a nest of conspirators and a channel of communication for the trade in contraband of war.

An internationalised Tangier will always constitute a danger to peace. Tangier administered and ruled by a responsible and neutral country will cease to be a constant preoccupation to all, and will be a means of assuring the pacification of Morocco and the neutrality of the coast which dominates the strait, which in its turn is the key of the Mediterranean.

His Catholic Majesty's Government is desirous of laying stress upon the close connection which exists between the settlement of the Tangier question and the position of Spain in the League of Nations. The attitude adopted by our country in regard to the problems of the constitution of the Council of the League of Nations is to-day the same as it was in March, and, for the reasons so often expressed, she maintains her demand for a permanent seat. She considers that her collaboration would be sterile from the point of view of the League itself if she were to accept an intermediate formula, and as adequate compensation, in face of her own duty and of public opinion, which is so interested in both problems, she would only consider the solution of the Tangier problem, which she has the honour to propose. The Government of His Catholic Majesty have the honour to inform your Excellency that they have simultaneously approached the Governments of His Britannic Majesty and of France, which were co-signatories with the Madrid Government of the Statute of Tangier, and the Governments of Rome and Washington who were invited to adhere to the Statute, and they now desire to extend their proposals to all those who adhered to the Statute, at the same time having the honour to suggest the extreme desirability of arranging a conference to examine the problem.

In view of the shortness of time owing to the imminence of the Assembly of the League of Nations, this conference might take place in Geneva on the 1st September, and advantage might be taken, if the interested Governments deem fit, of the presence

there of the representatives attending the Assembly and of the fortunate circumstance of the presence in Geneva of important personages, whose direct participation would facilitate the conclusion of an agreement.

I have, &c.
MANUEL DE YNCLAN.

[W 8017/76/28] No. 11.

Sir H. Rumbold to Sir Austen Chamberlain.—(*Received August 27.*)

(No. 385.)

Sir, *San Sebastian, August 23, 1926.*

IN my telegram No. 96 of the 21st August I had the honour to give you a résumé of an interview which I had with General Primo de Rivera and the Minister for Foreign Affairs on the 21st instant. This interview lasted for over an hour, and the object of the present despatch is to supplement my telegram under reference, as well as to report certain impressions which I formed during the interview.

2. I should state that in my two conversations with the Minister for Foreign Affairs, which were reported in my telegrams No. 91 of the 14th August and No. 92 of the 17th August, I was careful to say nothing which would encourage the Spanish Government to believe that His Majesty's Government would accept the incorporation of the Tangier zone in the Spanish zone. I confined myself to the question of the suggested Spanish mandate over the Tangier zone, which, indeed, was the proposal which held the field until a very short time ago. Thus, I enquired of the Minister for Foreign Affairs in what manner and by whom, in his view, such a mandate would be conferred on Spain. His Excellency thought that it would be conferred by the Powers who had either adhered to the Tangier Statute or who had been invited to do so, but he was evidently rather hazy as regards the manner in which Spain might receive the mandate over the international zone. It is probably this uncertainty in the mind of the Spanish Government, combined with other reasons, which has induced the President of the Council to come out openly in favour of the inclusion of the Tangier zone in the Spanish zone.

3. The Spanish Government probably realise that, even were such a procedure feasible, the conferring of a mandate either by the Powers signatory of the Act of Algeciras or by those which have adhered to the Tangier Statute or have been invited to do so would give every one of those Powers the right to enquire at any moment into the manner in which Spain was exercising her mandate. I am also under the impression that a mandate held under the League of Nations would not have much attraction for Spain. On the other hand, the inclusion of the Tangier zone in the Spanish zone would, in the view of the President of the Council, definitively prevent future intrigues about Tangier on the part of, say, Italy, as well as block the ambitions as regards the international zone of that or any other Power.

4. Whilst General Primo de Rivera has been quick enough to grasp the opportunity for attempting to make a bargain about Tangier which the anxiety of His Majesty's Government and of the French Government to retain Spain in the League has afforded, it would be hardly quite fair to say that his action is inspired purely by the opportunity thus afforded of making a bargain. He is publicly committed to winding up the Moroccan adventure as speedily as possible and in the cheapest manner. He really appears to be convinced that, if Spain had control of the Tangier zone, the Spanish High Command would be able to bring back the greater bulk of the troops now in Morocco, thus effecting a very great saving in budgetary expenditure. In this connection General Primo de Rivera said that Spanish military honour had been satisfied by the recent operations in Morocco, and that from that point of view it would not be difficult for Spain to withdraw to the *presidios*, thus saving the heavy burden of expenditure which would be entailed on her if she could not control the Tangier zone.

5. At the same time, by his recent public utterance advocating the inclusion of the Tangier zone in the Spanish zone, General Primo de Rivera has, so to speak, burnt his boats and committed himself in the eyes of such Spanish public opinion as exists. He said quite openly at my interview with him that, if Spain got satisfaction about Tangier, she would do what the British and French Governments wished her to do with regard to the League of Nations. The public utterance to which I have referred amounts, indeed, to an attempt to force the hand of other Governments. It

has this serious disadvantage, however, that Spain's claim either to the inclusion of Tangier in her zone or to a mandate over that zone may be rejected without her securing a permanent seat on the Council. Thus her position would be more unsatisfactory than before. The consequent irritation might then lead the Spanish Government to do what they have already once or twice hinted that they could do, *i.e.*, hamper matters in the Tangier zone by the re-establishment of the customs cordon round that zone.

6. The King arrived in Madrid on the 20th in order to preside over a Cabinet Council the following day. This Council was, however, deferred, probably because the Spanish Ministers wished to hear what I had to say to them.

I have, &c.
HORACE RUMBOLD.

[W 7874/76/28] No. 12.

Sir Austen Chamberlain to the Marquess of Crewe (Paris), No. 230, and Mr. Wingfield (Rome), No. 228.

(Telegraphic.) *Foreign Office, August 25, 1926.*

MY telegram No. 220 (No. 222).

The Spanish Government have suggested to His Majesty's Government and to the French, Italian and United States Governments that a conference should be held at Geneva on 1st September to discuss the Spanish demands relative to Tangier.

British policy in this matter has been definitely formulated and communicated to the French (Italian) Government, but we do not know whether the latter agree in principle to an alteration in the *status quo* at Tangier in favour of Spain. If they do not agree in principle a conference at Geneva would obviously be waste of time. If they do agree and if they are ready to discuss the matter at Geneva, we will do likewise. Please ascertain immediately views of French (Italian) Government.

You may add that I profoundly regret the manner and the moment chosen by the Spanish Government, nor can I accept as correct either their historical summary or their statement of the present position. But I remain desirous of reaching a friendly solution, and if the other Powers are ready for a discussion I will gladly co-operate with them at Geneva.

(Repeated to San Sebastian, No. 51.)

[W 7874/76/28] No. 13.

Sir Austen Chamberlain to Sir H. Rumbold (San Sebastian).

(No. 52.)
(Telegraphic.) R. *Foreign Office, August 25, 1926.*

MY telegram No. 230 to Paris and Rome repeated to you.

You may inform Minister for Foreign Affairs of my line. You should add that both the moment and method which they have selected seem to me to place the maximum of difficulty in the way of those who are trying to give them some satisfaction. Especially is this true of the form in which they have couched their request to friendly nations since they have given to it almost the character of an ultimatum. I would beg the Minister to consider seriously how Spain herself would regard such a communication if addressed in parallel circumstances, say by His Majesty's Government to Spain, and to ask himself whether a more conciliatory attitude would not better serve the Spanish cause.

[W 8049/76/28] No. 14.

The Marquess of Crewe to Sir Austen Chamberlain.—(Received August 28.)

(No. 1630.)
Sir, *Paris, August 27, 1926.*

WITH reference to paragraph 2 of my telegram No. 343 of the 26th August, I have the honour to transmit to you herewith copy of a note with enclosure therein from the Ministry for Foreign Affairs, setting forth the views of the French Government in regard to the proposal of the Spanish Government to hold a conference at Geneva on the 1st September to discuss the Spanish demands relative to Tangier.

2. In view of the urgency of the question, I shall be grateful if I may receive your early instructions in the matter.

I have, &c.
CREWE.

Enclosure 1 in No. 14.

Note communicated by French Ministry for Foreign Affairs.

LE Gouvernement espagnol a fait tenir, le 24 août 1926, au Gouvernement français une note pour demander la convocation à Genève, le 1er septembre prochain, d'une réunion internationale qui serait appelée, sur les propositions de l'Espagne, à régler à nouveau le sort de Tanger.

Le Gouvernement de la République, dont les sentiments amicaux vis-à-vis de l'Espagne sont trop connus pour qu'il soit nécessaire de les rappeler, regrette de ne pouvoir souscrire à la procédure proposée.

Il a résumé les raisons de son attitude dans la note ci-jointe que le Gouvernement français tient à communiquer au Gouvernement britannique, signataire et garant de la Convention de Paris du 18 décembre 1923, avant de la faire tenir, en réponse, au Gouvernement espagnol, à qui elle est destinée.

Le Gouvernement français serait heureux d'apprendre que le Gouvernement britannique adhère à des vues qui, basées sur une situation internationale très nettement définie par les traités, tiennent en outre le plus grand compte des réalités d'une situation qui est parfaitement connue du Gouvernement de Sa Majesté britannique. La nécessité de répondre d'extrême urgence au Gouvernement espagnol fait désirer au Gouvernement français de connaître dans le moindre délai les vues du Gouvernement britannique.

Paris, le 27 août 1926.

Enclosure 2 in No. 14.

Note.

L'AMBASSADEUR d'Espagne a bien voulu remettre, le 24 août 1926, au Département des Affaires étrangères une note pour demander la convocation très prochaine à Genève d'une réunion internationale comprenant les représentants de l'Espagne, de la France, de la Grande-Bretagne, de l'Italie, des États-Unis, ainsi que tous les États ayant adhéré au Statut de Tanger, pour examiner conjointement et résoudre les problèmes de Tanger.

Le Gouvernement français a examiné très attentivement la note espagnole dans un sentiment de sympathie réel pour les préoccupations qui animent le Gouvernement de Sa Majesté catholique et en s'inspirant des sentiments qui résultent de la coopération étroite qu'ils ont appliquée depuis plus d'un an dans le domaine des affaires marocaines.

Aussi est-ce dans un esprit purement amical que le Gouvernement français doit, objectivement, soumettre au Gouvernement espagnol les observations suivantes :

Comme le rappelle le Gouvernement espagnol, la question de Tanger n'est pas nouvelle, mais, depuis la signature de la convention du 18 décembre 1923, qui a établi, en plein accord entre les trois Puissances principales intéressées, le statut municipal de Tanger, le Gouvernement français estimait, et estime toujours, que la question n'est pas entière et ne saurait être abordée sans tenir compte de l'existence d'un accord qui a été le fruit de longs et patients efforts.

L'origine de la demande de l'Espagne est le désir des trois Puissances qui ont signé l'accord de 1923 sur le Statut de Tanger de se concerter sur les satisfactions à accorder à l'Italie pour obtenir son adhésion au statut, conformément à l'article 56, qui prévoit que les trois Puissances contractantes s'engagent à se prêter mutuellement appui pour obtenir l'adhésion des Puissances signataires de l'Acte d'Algésiras.

Sans répondre à la demande française, le Gouvernement espagnol a saisi par la voie de la presse l'opinion publique de ses revendications touchant l'incorporation même

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de Tanger dans la zone espagnole du Maroc, paraissant ainsi vouloir dénoncer d'un seul coup tous les accords internationaux qui, depuis 1904, avaient fixé le sort de Tanger. En outre, le Gouvernement espagnol a laissé entendre que le règlement de la question de Tanger, suivant ses vues propres, pourrait décider de sa position dans la question des sièges au Conseil de la Société des Nations, bien qu'aucun lien logique ni naturel n'existe entre ces deux questions, et bien qu'elle sache que le Gouvernement français n'a jamais cessé et continue de lui prêter tout son appui pour obtenir que la plus large satisfaction lui soit donnée.

Sans s'inspirer du point de vue politique, de la situation de fait qu'il occupe, de la volonté même des populations tangéroises, le Gouvernement français a examiné la question de droit et n'a trouvé dans les accords internationaux aucun texte pouvant être invoqué valablement à l'appui de la demande espagnole.

La France et l'Espagne tiennent les droits qu'ils exercent au Maroc de textes fondamentaux auxquels il ne saurait être porté atteinte sans modifier les termes mêmes du protectorat acceptés par Sa Majesté le Sultan.

Le traité conclu le 30 mars 1912 entre le Gouvernement de Sa Majesté chérifienne et le Gouvernement français prévoit que :

> " Le Gouvernement de la République se concertera avec le Gouvernement espagnol au sujet des intérêts que ce Gouvernement tient de sa position géographique et de ses possessions territoriales sur la côte marocaine,"—mais il prévoit également que : " la ville de Tanger gardera le caractère spécial qui lui a été reconnu et qui déterminera son organisation municipale."

La Convention franco-espagnole du 27 novembre 1912, précisant la situation respective de la France et de l'Espagne à l'égard de l'Empire chérifien, a prévu (article 7) que :

> " La ville de Tanger et sa banlieue seront dotées d'un régime spécial qui sera déterminé ultérieurement."

Ces stipulations ont été concertées avec la Grande-Bretagne, qui, dès 1904, avait pris acte de l'Accord franco-espagnol du 3 octobre 1904, aux termes duquel :

> " La ville de Tanger gardera le caractère spécial que lui donne la présence du Corps diplomatique et son institution municipale et sanitaire."

Ultérieurement, les Puissances signataires de l'Acte d'Algésiras ont prévu que :

> " Le Conseil sanitaire international existant à Tanger resterait encore en fonctions jusqu'à la création d'une organisation municipale."

Enfin le Statut municipal ainsi prévu a été créé en 1923.

Tels sont les textes qu'on ne saurait rayer d'un trait de plume et qui régissent depuis le début du siècle la question de Tanger dans les rapports entre l'Espagne, la France et l'Angleterre, comme dans leurs rapports avec le Sultan et avec les Puissances.

Il paraît plus impossible encore de lier une question aussi parfaitement définie à un problème d'équilibre au sein de la Société des Nations. Celle-ci n'aurait pas le droit de trancher les questions marocaines et de ratifier le vœu de l'Espagne en lui donnant un mandat sur Tanger, contrairement au principe de la souveraineté du Sultan et de l'intégrité de ses États, que les Puissances signataires de l'Acte d'Algésiras ont tenu à inscrire elles-mêmes en tête de cet Acte.

La formule du mandat est née de la nécessité de régler juridiquement le sort de territoires considérés comme libres de toute domination politique à la suite de la guerre. Les mandats ont été attribués en vertu de pouvoirs conférés à la Société des Nations par des traités, à propos de territoires occupés par les signataires de ces traités. Tanger n'est pas un territoire occupé au cours dune guerre. Les Puissances ont reconnu que Tanger est sous la souveraineté du Sultan ; plusieurs d'entre elles possèdent à Tanger des droits divers d'administration ou de juridiction. Tanger est un territoire chérifien jouissant d'une certaine autonomie et où différentes Puissances possèdent des droits particuliers en vertu d'une délégation du Sultan. Il est impossible d'y instaurer un mandat de la Société des Nations comme sur les anciennes colonies allemandes ou sur les régions arabes de la vieille Turquie.

Le Gouvernement espagnol, instruit du désir de la Grande-Bretagne et de la France de procéder à un examen en commun de la situation de Tanger pour régler leur attitude vis-à-vis des Puissances non adhérentes, n'a pas cru opportun d'accepter l'occasion qui

lui était ainsi offerte d'exposer, dans le cadre même prévu par la convention de 1923, ses vues et ses désirs. C'est cependant la seule procédure, qui reste d'ailleurs toujours ouverte, pour examiner les problèmes soulevés par la note espagnole. Le Gouvernement français, qui tient des traités une charge, des droits et une responsabilité toute spéciale au Maroc, ne se refuse nullement à un tel examen, mais ne saurait se prêter à une revision des traités existants ni à rouvrir ainsi toute la question marocaine.

Restant sur le terrain solide des traités, et en particulier de l'Accord franco-anglo-espagnol de 1923 sur Tanger, c'est en premier lieu aux trois Puissances signataires du Statut municipal qu'il appartient de se mettre d'accord pour adapter leurs droits et leurs intérêts. Ce n'est qu'après cet accord préalable que les autres Puissances intéressées pourraient être appelées à étudier le problème et à donner leur approbation éventuelle aux modifications proposées au Statut.

En suggérant la réunion préalable et immédiate d'une conférence internationale à Genève, on renverserait la procédure et on déchirerait tous les traités.

D'autre part, prêt à tenir compte, dans l'esprit le plus large et le plus amical, des observations du Gouvernement espagnol, spécialement en ce qui touche à la sécurité de sa zone et à la répression de la contrebande, le Gouvernement français estime qu'il n'y a qu'à s'inspirer à Paris et à Madrid des termes du récent accord du 10 juillet 1926, " en vue de poursuivre la pacification dans leurs zones d'influence respectives et d'assurer la sécurité complète des confins marocains, tant au contact de leurs zones respectives qu'au contact de la zone de Tanger." Les deux Gouvernements, aux termes du même accord, ont décidé que : " Pour maintenir la coopération amicale franco-espagnole et sa valeur et pour permettre de l'adapter aux circonstances nouvelles qui pourraient se présenter, les deux Gouvernements procéderaient à un nouvel examen de la situation dès qu'il apparaîtrait utile."

Le Gouvernement français a le sentiment très net que rien ne s'est produit, depuis la signature de ce dernier accord, qui justifie un recours à la procédure exceptionnelle proposée par le Gouvernement espagnol pour procéder à l'examen de la question de Tanger. Au sentiment du Gouvernement français, la procédure ordinaire, dans le cadre des traités, suffit.

[W 8122/76/28] No. 15.

Mr. Wingfield to Sir Austen Chamberlain.—(*Received August* 30.)

(No. 729. Confidential.)

Sir, *Rome, August* 27, 1926.

WITH reference to my telegram No. 188 of yesterday, I have the honour to inform you that Count Bordonaro told me yesterday evening that a reply had, on the previous evening, been returned by Signor Mussolini to the Spanish note asking for the incorporation of Tangier in the Spanish zone of Morocco or for the grant to Spain of a mandate for the administration of the international zone. The substance of this reply had been embodied in a telegram to the Italian Ambassador in London with instructions to communicate it to His Majesty's Government, and similar instructions had been sent to the Italian Ambassadors in Paris and Washington. In his note, Signor Mussolini, who was not opposed in principle to a change in the *status quo* in Tangier, had expressed the opinion that the proposed discussions should take place at some place other than Geneva, such as Lausanne; and that, if a mandate were granted to Spain, it should emanate from the Powers interested in the Mediterranean and not from the League of Nations. In fact, Count Bordonaro told me, the Italian Government did not think it advisable to bring all the Powers members of the League of Nations, including eventually Germany, into these discussions. He also added that in his opinion it would be better if the date of the meeting could be postponed for some time, but this was not specifically stated in the Italian note. Signor Mussolini also thought that those taking part in these discussions should be appointed *ad hoc*, and should not act in their capacities as representatives of their respective countries on the Council or on the Assembly of the League of Nations.

2. The United States Ambassador, who was paying a farewell visit to Signor Mussolini before going on leave at the time when I was with the Director-General of the Ministry for Foreign Affairs, subsequently told me that he had gathered the impression that the Prime Minister was by no means opposed to giving friendly

consideration to the Spanish demands. In fact, his Excellency wondered whether, after M. Briand's statement as to the impossibility of reopening the Morocco question, Signor Mussolini was not more, rather than less, inclined to discuss them. The Italian Government felt, and Mr. Fletcher was inclined to think this feeling was well founded, that there were legal obstacles to a mandate being given to Spain by the League of Nations. His Excellency did not, however, foresee that the United States Government would be likely to have any objection to the exercise by the League of a supervision over a mandate once granted, since they had not objected in the case of the mandates over ex-enemy territories, in which their interest was far greater—seeing that these territories had been ceded to them amongst others —than it was in Tangier. He had gathered that the Italian Government had the same interest as His Majesty's Government in preventing the fortification of the Straits.

3. I have ventured to report the above remarks of Mr. Fletcher since he is shortly sailing for the United States and will doubtless be consulted at the State Department with regard to this question.

I have, &c.
C. J. WINGFIELD.

[W 8289/76/28] No. 15.

Mr. Clive to Sir Austen Chamberlain.—(Received September 2.)

(No. 200.)

Sir, *Tangier, August 27, 1926.*

THE recent Spanish demand for a mandate, if not for the incorporation of Tangier in the Spanish zone, has naturally aroused the greatest interest among the people of Tangier, who await with keen anticipation the results of the conversations which are reported in the press to be going on in the capitals most nearly concerned. What has surprised everyone, and not least the French consulate and the French colony, is the almost benevolent attitude of the Paris press towards General Primo's demands. The impression is, therefore, more or less general that this time Spain is going to get some substantial satisfaction in Tangier.

2. Since I came here two years ago I have consistently maintained, despite the almost universally hostile attitude of the press towards the international régime, that, given goodwill all round and the absence of political interference, the Tangier Statute was workable and could in time be made a success provided it was possible to introduce such necessary modifications as experience might dictate.

3. While I still hold that view, I am bound to admit that, apart from the Spanish pretensions, one almost insurmountable difficulty will always present itself, namely, the inherent and mutual Franco-Spanish antagonism.

4. Living in an international zone one is naturally led to draw certain conclusions as to national characteristics, and the French appear to me to have one failing which will always prevent their working in friendly partnership at close quarters with other nations, namely, their predominant national characteristic of jealousy. If a thing cannot be run in a French way under French predominance it really ceases to interest them. I realised this some years ago in China. When the international settlement at Shanghai was formed by merging the concessions of various Powers, the French alone stood out and insisted on maintaining their own concession under French law, and it was known they would always refuse to take their part in the creation of international settlements in Tien-tsin or Hankow, where the continuance of a number of national concessions is really an anachronism. So in Tangier M. Alberge, the Administrator, shuts himself into a watertight compartment, and has as little to do as possible with the assistant administrators. He never consults them and never keeps them *au courant* with what is going on. He tries to run everything as far as possible on purely French lines, and simply ignores officials of other nationalities. The consequence has been that when a serious crisis arises, such as we have had this month with the Spanish Workers' Union and threats of a general strike, M. Alberge is entirely out of touch with those who might best advise him.

5. It may be that this form of jealousy is a Latin and not merely a French characteristic, and that with a Spanish Administrator the same sort of thing would happen. In any case, the result is deplorable. M. Alberge went on leave yesterday,

and M. Ruiz, the Assistant Administrator, is acting in his place. In the present circumstances it is a relief to everyone that M. Alberge has gone, and there is no doubt that the Spaniards will take the most vigorous steps to prevent his return. I am not at all certain that even if he were replaced in the autumn any other Frenchman could be found with an "international outlook." However well the French, according to their own lights, may run their own colonies and dependencies, I believe it will always be difficult to work satisfactorily with them in an international administration.

6. Within the last few days we have had further instances of French small-mindedness and provocation which have given great offence to the Spanish consulate and colony. On the 26th August there appeared in the "Dépêche marocaine," the French daily paper, an anonymous article in the Spanish language, purporting to have been written by a number of Spaniards, violently denouncing the whole system of Spanish Government and General Primo de Rivera, and calling on "all sons of Tangier to resist the great danger" of a Spanish mandate. It appears that this article was really written by a French Jew named Azancot, who is president of the so-called International Chamber of Commerce, and at the same time in the French Service de Renseignements. The article, of which a copy is enclosed,* infuriated the whole Spanish colony, who addressed a letter to the editor demanding the name of the author. This was refused and the acting Spanish consul-general, Señor Espinos, has been at great pains to calm his compatriots and prevent a serious breach of the peace. He was warned, so he told me, two hours before publication, that an extremely anti-Spanish article would appear. He immediately warned the acting French consul general by telephone and asked him to have it stopped. M. Merillon, he alleges, took no steps, neither did M. Alberge. Señor Espinos is convinced that the whole thing was a deliberate act of provocation which the French authorities did nothing to prevent. The offensive allusions to Signor Mussolini provoked a demand next day from the Italian Minister for sanctions against M. André, the editor of the paper. M. Merillon came to ask my advice as to what he should do. I said that, failing a press law, there was nothing he could but demand his expulsion on the basis of article 10, or persuade him to go away for a while. M. Merillon said he was sure his Government would not authorise expulsion.

7. I mentioned in my despatch No. 192 of the 20th August, paragraph 10, that Señor Espinos had sent for the leaders of the Spanish Workers' Union and warned them that they would all be expelled if there was any more trouble. At the same time, on his urgent representation, M. Alberge did at length formally request in writing the expulsion of one of the worst characters. Señor Espinos immediately requested the Mendoub to have him expelled, at the same time telephoning the French controller and the acting French consul-general. This was on the 22nd August. It was not, however, until the 26th August that the chief of police was instructed to have the man arrested and put on board the next ship sailing for Spain. Meanwhile, it had become known that the demand for this man s expulsion had been made, and he spent three days in stirring up agitation and spreading false reports among the workmen, so that, when he was arrested, the latter threatened to start another strike if the expulsion order was enforced. Now, there is no doubt that if the French authorities had acted promptly, as they were asked to do, the man would have been put out of Tangier within 24 hours of the receipt of Señor Espinos's demand, and no one would have cared. Unfortunately, there is good reason to suppose that M. Alberge deliberately delayed proceedings in order that the odium of expulsion should fall on M. Ruiz as soon as he had taken over charge of the Administration. Rightly or wrongly, the Spaniards are of opinion that M. Alberge hoped that M. Ruiz would start his charge confronted with an awkward situation and threats of another general strike, which he would fail to avert. When I expressed surprise to my French colleague at the unaccountable delay, he was obviously embarrassed, talked of the time required to make the necessary translations, and made other inadequate excuses. On Thursday evening, the 26th, the position was, in fact, far more serious than it had been at any time. The Spanish Union had been worked up into a state of dangerous agitation and had made all preparations to cut the telephone and the water supply, and declare a general strike. Señor Espinos went at 1 A.M. with M. Ruiz to the union headquarters, where he appears to have harangued 300 to 400 Spanish workmen. He found out, so he told me, that there was a paid agent among them fomenting trouble, instructed, he believed, by the French Chamber of Commerce, who had persuaded the men that all the leaders were

* Not printed.

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going to be expelled. While this was going on, the strike did actually begin by all the waiters in the cafés downing napkins and walking out. Meanwhile, the men tried to temporise by demanding that the expulsion order should be postponed. M. Ruiz, however, firmly refused, and eventually the men were satisfied that nothing would happen to them if they behaved themselves. One of the arguments Señor Espinos used, so he told me, was that M. Alberge should never return. This was loudly cheered and clinched the matter. I have no doubt that the energetic action of Señor Espinos that night saved Tangier from what might have developed into the most serious disorder.

8. All the evidence of the last fortnight since General Primo elaborated his latest demands tends to show that the Spanish consulate have been at the greatest pains to maintain order and prevent any disturbance, while the French would almost seem to have wished for trouble.

9. There will be a meeting of the Committee of Control on the 30th August for current business. Señor Espinos told me that he proposed to ask the committee to pass a vote of censure on M. Alberge and M. Merillon. I at once demurred to the latter as being quite impossible and outside the functions of the Committee of Control. As regards the Administrator, the committee would no doubt, if they thought fit, record their views on his recent action or inaction.

I have, &c.
R. H. CLIVE.

[W 8432/76/28] No. 17.

Mr. Wingfield to Sir Austen Chamberlain.—(Received September 7.)

(No. 744. Confidential.)
Sir, *Rome, September 1, 1926.*

WHEN, in compliance with the instructions contained in your telegram No. 231 of the 29th ultimo, I communicated to Signor Mussolini yesterday in a French translation the instructions conveyed to His Majesty's Ambassador at San Sebastian in your telegram No. 54 of the same date, his Excellency, who was at first impressed with the idea that some form of "conference" was in contemplation from which Italy was to be excluded, said that Italy could not accept any decisions come to in her absence. This impression as to the calculated exclusion of Italy was shared by the "Tribuna," which, in commenting in its issue of that same afternoon on telegrams from London respecting the reply made to Spain, including reports of statements made by you in the House of Commons on the previous day, complained that His Majesty's Government, yielding to French views, were once more committing the mistake of discussing a settlement without Italy, which was only to be called in later.

2. I pointed out to his Excellency that we were merely reverting to the situation before the Spanish claims had been so definitely formulated, when the French and Spanish Governments were considering with us the desiderata he had himself communicated to His Majesty's Government, upon the acceptance of which by the Powers interested Italy was prepared to accede to the Tangier Convention: and I pointed out to him that conversations proposed were clearly stated to be "preliminary" and to have for their primary object to secure the accession to that convention of Italy and other Powers, although they would also afford Spain an opportunity of bringing forward new suggestions as to how her desires could be met. I hoped, therefore, that what he meant was only that Italy could not bind herself beforehand to accept the conclusions come to by us.

3. Signor Mussolini replied that if only private conversations, and not a "conference," were in contemplation, he did not desire to raise any objections, as he would be bound to do were another Tangier Conference held without the participation of Italy. He trusted, however, that he would be kept informed of what was going on, so that Italy might be able to accept at once whatever arrangements were eventually come to. We had just experienced in the form of the Spanish demands an instance of the sort of awkward situation that might arise at any moment so long as the Tangier Statute had not been accepted by all the Powers interested. It was most important that all should accede as soon as possible; but Italy could naturally not bind herself to agree unconditionally to anything decided upon without

her being consulted. He felt that His Majesty's Government had been consistently friendly towards Italian aspirations in this and other matters, but he was convinced that France was trying to keep Italy out of participation in these negotiations.

4. The conversation then turned on the relations between France and Italy with which I am dealing in another despatch.

I have, &c.
CHARLES WINGFIELD.

[C 10124/391/19] No. 18.

Sir Austen Chamberlain to Mr. Wingfield (Rome).

(No. 1270.)
(Extract.) *Geneva, September 13, 1926.*

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M. Grandi then passed to Tangier. He began by observing that two years ago, when the King of Spain visited Rome, they had had the idea of making the occasion something more than an exchange of royal visits, but after some preliminary conversations it had been found that neither the Spanish Government nor the Italian Government were ready for any agreement at that time. Suddenly and rather unexpectedly the Italian Government had perceived that the moment was opportune for doing so, and they had signed a treaty of friendship strictly within the terms of the Covenant and in accordance with the peaceful spirit of Locarno. During the negotiations for this treaty the question of Tangier had never been mentioned, and M. Mussolini had been most disagreeably surprised when a week or ten days later he had read the note published by the Spanish Government. As to the conversations which were now contemplated, he gathered from a telegram forwarded to him this morning from Rome that my idea was that as a first step the French and Spanish Governments should confer together. He would only beg me to remember the position of Italy, to have regard to her prestige, and he added that I was in possession of her proposals which were put forward as a basis for discussion and not as an unalterable whole and in regard to which he was quite certain that, if desirable, modifications could be introduced and an arrangement made. I could not help observing that General Primo de Rivera's diplomacy was of a peculiar kind. Just as he had given no hint of what was in his mind to Signor Mussolini, so he had refrained from saying a word upon the subject to M. Briand when he visited Paris, and that in spite of the fact that I had myself offered, if I could thereby facilitate an arrangement, to meet him in Paris to discuss the question with him and M. Briand. I thought it well to repeat to M. Grandi in broad outline the story with which you are already familiar of how the question was first raised by King Alfonso in London.

M. Grandi insisted particularly that there had never been the least foundation for any suggestion that Italy had agreed to a mandate or was likely to consider it. Italy's principal interest, he said, was in securing for Italian subjects in Morocco a treatment which might perhaps form a precedent for their treatment elsewhere on the coast of North Africa, and he gave me every reason to anticipate that when the time came to discuss Tangier we should find the Italian Government reasonable and accommodating.

I told him that I had myself suggested to the Spanish Ambassador the preliminary discussion of some of the issues between France and Spain. My idea was that such a preliminary discussion might remove some difficulties and prepare the question for our consideration. Great Britain would view such a Franco-Spanish conversation without jealousy or suspicion, and I presumed that if Italy was invited to a conference at the same time as Great Britain she would have nothing to complain of on the score of prestige.

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[W 8710/76/28] No. 19.

Sir H. Rumbold to Sir Austen Chamberlain.—(Received September 14.)

(No. 402.)

Sir, *San Sebastian, September 1, 1926.*

WITH reference to my telegram No. 107 of to-day's date, I have the honour to transmit to you herewith copy of a note which I left with the Minister for Foreign Affairs this morning, in pursuance of the instructions contained in your telegram No. 54 of the 29th ultimo. I should explain that, as a matter of fact, no time was lost in acting on your instructions, in view of the fact that the text of the French note which was to be handed to the Minister for Foreign Affairs by the French Chargé d'Affaires only reached the latter by post in the evening of yesterday.

2. The French Chargé d'Affaires came to see me early this morning and informed me that he had received a telegram during the night from M. Briand, to the effect that a similar note had been handed in Paris to the Spanish representative there and that he was to present the French note to the Spanish Minister for Foreign Affairs without delay. I therefore felt justified in acting at once on your instructions without waiting for any telegram you might see fit to send me in reply to my telegram No. 102 of the 30th ultimo.

3. I accordingly arranged to be received by the Minister for Foreign Affairs immediately after the latter had received the French Chargé d'Affaires. Whilst I was with the Minister for Foreign Affairs, the latter was called to the telephone by the President of the Council, and during his absence from the room the French Chargé d'Affaires came in and told me that the Minister for Foreign Affairs had expressed himself as gratified with the conciliatory manner in which the French note had been drafted. His Excellency had not, however, made any further observations.

4. Señor Yanguas—to whom I read a French translation of my note—said that he appreciated the courteous form in which it had been couched. He did not appear to be at all surprised by its contents, and I therefore concluded that the French note had prepared him for my communication.

5. After I had finished reading my note, his Excellency said that the proposed preliminary conversation in Paris between France, Spain and Great Britain to discuss the conditions on which the adhesion of the Powers which had not yet accepted the statute could be obtained—in the course of which Spain could put forward with due regard to existing agreements their views and wishes—had no interest for the Spanish Government. The latter were not aiming at a modification of the statute, which had proved quite unworkable. He foreshadowed the denunciation of the statute by the Spanish Government. As I did not have a copy of the statute with me, I could not remember whether that instrument contained any provision enabling one of the signatories to denounce it, so I confined myself to informing Señor Yanguas that the statement which he had just made was a serious one. He must now know exactly the attitude of Great Britain and France to the alternative Spanish proposals either for the incorporation of Tangier in the Spanish zone or for a Spanish mandate over that zone. His Majesty's Government would never agree to the incorporation of the Tangier zone in the Spanish zone. The French Government had refused to accept this proposal, and had also turned down the proposal for a Spanish mandate. He therefore knew the situation he was up against, and if he thought that by denouncing the Tangier Statute—supposing that such a course were possible—Spain would be able to obtain control over Tangier, he was making a great mistake. His proposed procedure would also create a very difficult situation, and I urged him, therefore, to reflect carefully on his future action.

6. The Minister for Foreign Affairs said that he would, in due course, reply to the note which I had handed to him, but I understood him to say that, if Spain could not obtain effective control over Tangier, she would probably withdraw from Morocco.

7. I have since looked up the convention regarding the organisation of the Tangier Statute and find that it is concluded for a period of twelve years, dating from its ratification, and that it shall be renewed automatically for one or more equal periods if, at least six months before its expiry, none of the contracting parties has demanded its revision. It is, therefore, difficult to see how the Spanish Government can denounce it.

8. The manner in which the Spanish Government have raised and pressed their proposals with regard to Tangier at the eleventh hour has been a subject of surprise and unfavourable comment on the part of all my colleagues who have spoken to me on the subject. The Spanish procedure in this matter is in keeping with the slapdash manner in which General Primo de Rivera issues important economic decrees, such as the Coal Decree and the recent Steel Decree of the 9th July, both of which had to undergo considerable modifications immediately after their publication. General Primo de Rivera has several times said to me that he is unversed in diplomatic procedure. His Minister for Foreign Affairs is a young, but well-meaning, man, who is equally devoid of experience. Between the two of them they have managed to give an illustration of how not to do things. Moreover, they cause irritation by refusing to look facts in the face and to take no for an answer.

9. I cannot help feeling that, after three years of autocratic rule, General Primo de Rivera has somewhat lost his sense of balance and imagines that he can proceed in matters of foreign policy as he does in questions of internal policy. Whilst I have no first-hand knowledge of the conditions in the Tangier zone, I cannot believe that it is impossible, short of a Spanish protectorate or mandate over that zone, to prevent it from being used as a centre of intrigue against the Spanish zone in Morocco. The conclusion I draw, therefore, is that General Primo de Rivera is pursuing a policy of prestige which is illustrated, *inter alia*, by the demand for the inclusion of the Tangier zone in the Spanish zone, by his suggestion—twice renewed—for the exchange of Gibraltar for Ceuta, and last, but not least, by the manner in which he has pressed the request for a permanent seat for Spain on the Council.

I have, &c.

HORACE RUMBOLD.

Enclosure in No. 19.

Sir H. Rumbold to M. de Yanguas Messía.

Your Excellency, *San Sebastian, August 29, 1926.*

IN the course of various interviews which I have had the honour to have with your Excellency recently, you have put forward and supported certain proposals in regard to the international zone of Tangier, to the effect that either it should be incorporated in the Spanish zone of Morocco, or that the Spanish Government should be accorded a mandate for its administration during a certain number of years. These proposals have also, I understand, been submitted direct to His Majesty's Principal Secretary of State for Foreign Affairs through the Spanish representative in London.

As your Excellency is aware, His Majesty's Government are animated by feelings of the greatest friendship and esteem for your country, and are always desirous of doing everything which lies in their power to meet the wishes of the Spanish Government in every possible respect. It is in this spirit that they have given the above-mentioned proposals their most careful and sympathetic consideration.

As I had the honour to inform the President of the Council and yourself, however, on the 21st instant, Sir Austen Chamberlain has from the very beginning made it clear that the simple incorporation of Tangier in the Spanish zone was an impossibility, whilst, as regards the question of a mandate, his consent was made contingent on that of the French and Italian Governments.

I am now instructed by His Majesty's Principal Secretary of State for Foreign Affairs to inform you that His Majesty's Government learn that the French Government feel unable to agree in principle to the demands of the Spanish Government, but that they are still prepared to act on their previous proposal for a preliminary conversation between France, Spain and Great Britain for the discussion of the conditions on which the adhesion of the Powers which have not yet accepted the Tangier Statute could be obtained, in the course of which the Spanish Government could put forward their views and wishes with due regard to existing agreements.

His Majesty's Government are equally prepared to enter on such an examination and to seek a solution satisfactory, or at least acceptable, to all parties. Sir Austen Chamberlain instructs me, however, to point out that Geneva would obviously not be a suitable place, nor would the meeting of the Council of the League of Nations and its committee be a suitable time for such a conversation.

I avail, &c.

HORACE RUMBOLD.

[W 8711/76/28] No. 20.

Sir H. Rumbold to Sir Austen Chamberlain.—(Received September 14.)

(No. 413.)

Sir, *San Sebastian, September 9, 1926.*

WITH reference to my despatch No. 402 of the 1st instant, I have the honour to transmit herewith copy and translation of a note from the Minister of State in reply to the communication which I addressed to him on receipt of your telegram No. 54 of the 29th August in regard to the question of Tangier.

2. As foreshadowed by the President of the Council in the conversation reported in my telegram No. 113 of the 4th instant, the Spanish Government agree to the proposal that the question should be discussed by the British, French and Spanish Governments, when they would propose to develop fully their point of view, and trust that they will succeed in persuading His Majesty's Government and the French Government to adopt the solution which they advocate.

I have, &c.
HORACE RUMBOLD.

Enclosure in No. 20.

M. de Yanguas Messía to Sir H. Rumbold.

(Translation.) *Ministry of State,*

Your Excellency, *San Sebastian, September 7, 1926.*

HIS Catholic Majesty's Government have duly appreciated the tone of friendship towards our country in which is conceived the note dated the 29th August which your Excellency handed to me on the 1st September.

As I had the honour to inform your Excellency at our last interview, His Catholic Majesty's Government would be prepared to attend the meeting of experts, to which they are invited by the British and French Governments, with a view to the examination of the reserves formulated by the countries which have not yet adhered to the Tangier Statute, provided that at these preliminary conversations Spain were permitted to set forth fully the view which she holds in regard to the definitive régime for Tangier, and which is already substantially known to His Britannic Majesty's Government.

This proposal of the Spanish Government in no way implies any disregard for the treaties, which, in so far as they are still in force, they are disposed to observe, but rather the intention to submit to the Governments of Great Britain and France their particular point of view in the hope of convincing them, as they are themselves convinced, that the solution they propose is the most satisfactory, not only for Spain but for the peace of the world, and chiefly for the nations most directly interested in all that affects the Straits of Gibraltar.

Spain will endeavour, so far as it is possible for her to do so, to induce Italy to abstain from attending this preliminary meeting, confined by the initiative of the States which convene it to the three Powers signatory of the statute.

Without prejudice to the previous termination of these preliminary conversations, His Catholic Majesty's Government think, however, that the nature of the agreement will eventually require that the system of obtaining isolated adhesions, the difficulty of which has been brought out during the three years which have elapsed since the signature of the statute, should be replaced by some other more general method ("otro método más ámplio") to be concerted in due course by the three signatory Powers with a view to the attainment of that unanimous agreement which all desire.

The Spanish Government consider that, as suggested by His Britannic Majesty's Government, it would be desirable to wait until the Geneva Assembly has terminated its labours before holding the meeting of experts, which might well take place in the first fortnight of November or the second fortnight of October, in order to make the necessary collection of data, and to allow sufficient time to elapse so that the matter may be examined in an atmosphere of calm.

His Catholic Majesty's Government are confident that the consideration of the problem of Tangier will, with the goodwill of the high parties interested in its definitive

solution, result in a régime which will enable Spain to prosecute without hindrance or interruption the civilising labour which, precisely on the initiative of Great Britain in the Anglo-French declaration of the 8th April, 1904, she is carrying out in the north of Africa.

I avail, &c.
JOSÉ DE YANGUAS.

[W 8724/76/28] No. 21.

Sir H. Rumbold to Sir Austen Chamberlain.—(Received September 14.)

(No. 420.)

Sir, *San Sebastian, September 11, 1926.*

WITH reference to my despatch No. 413 of the 9th September, I have the honour to transmit to you herewith a copy of the reply of the Spanish Government to the French Embassy's note on the subject of Spain's desire for the incorporation of Tangier in her zone, which was handed to me this morning by the French Chargé d'Affaires.

2. You will observe that this note is considerably longer and more detailed than the one which was addressed to me, a translation of which was enclosed in my above-mentioned despatch. The gist of the two communications is, however, the same, although in their note to the French Chargé d'Affaires the Spanish Government state definitely that they do not regard a meeting of experts to deal with the adhesion to the statute of other Powers as the most suitable setting for the putting forward of their point of view with regard to Tangier. The note further declares categorically that the changes to which Spain wishes to invite the consideration of France and Great Britain are of a substantial nature affecting the very essence of the régime at Tangier and its relation to the Spanish zone of Morocco.

3. I have given the French Chargé d'Affaires a copy of the note from the Spanish Government, which was enclosed in my despatch under reference.

I have, &c.
(For the Ambassador),
HUGH GURNEY.

Enclosure in No. 21.

Note verbale.

(Traduction.)

LE Ministère d'État a l'honneur de communiquer à l'Ambassade de France, en réponse à sa note du 28 août dernier, dans laquelle le Gouvernement français explique sa réponse à la note qui lui fut remise par l'Ambassadeur d'Espagne à Paris le 24 du même mois, que le Gouvernement de Sa Majesté catholique estime à leur juste valeur les termes amicaux et cordiaux dans lesquels la note de l'Ambassade de France était conçue, et se félicite grandement de pouvoir donner à cette occasion l'assurance que lui-même éprouve le même sentiment de sympathie et le même désir de collaboration qui a animé les deux pays depuis plus d'un an dans leur gestion en commun du protectorat sur le Maroc.

Guidé par ce même esprit amical et la même pensée de sincère et complète compréhension, le Gouvernement de Sa Majesté, après un examen serein et objectif de la note française, qu'il a étudiée avec l'attention qu'elle mérite, a l'honneur de soumettre au Gouvernement français les observations que lui suggère sa lecture.

Le Gouvernement de Sa Majesté catholique considère que dans le cadre du traité de 1912 on pouvait trouver une interprétation rendant possible la réalisation des aspirations espagnoles; il est profondément convaincu que ce serait non seulement dans l'intérêt de la pacification de notre zone de protectorat, mais aussi par répercussion au profit de la zone française et de l'intérêt solidaire du protectorat au Maroc.

Il est si vrai, de l'avis du Gouvernement de Sa Majesté, que l'on peut concevoir l'incorporation de Tanger à la zone espagnole, avec les restrictions qui vont de soi ("naturales") et dans le cadre du traité de 1912, qu'une autorité juridique aussi irrécusable que celle de Charles Dupuy, professeur à l'École des Sciences politiques de Paris et éminent spécialiste du droit international, écrivait en octobre 1920 cette phrase: "La

ville de Tanger, *comprise dans la zone espagnole*, devra être soumise à un régime spécial, qui n'a jamais été fixé." (Charles Dupuy: "Le Droit des Gens et les Rapports des grandes Puissances avec les autres États avant le Pacte de la Société des Nations." Paris, plén. édit., octobre 1920, p. 265.)

Dans la convention du statut local de Tanger concertée en 1923, on établit un régime d'internationalisation—tout en évitant d'écrire l'appellation zone internationale—dont l'essai a commencé et s'est développé avec toute la bonne volonté des trois Puissances pour le rendre viable et pour tenter en commun d'obtenir l'adhésion des autres signataires de l'Acte d'Algésiras qui conservent des intérêts à Tanger.

Le sincère désir des trois pays et de leurs Gouvernements n'a pas été suffisant pour constituer un instrument utile d'administration avec un système compliqué et inapte à remplir la fonction qui lui est assignée, pas plus pour obtenir l'adhésion de toutes les Puissances invitées à la douner.

Ces défectuosités essentielles et nous pourrions dire cet échec notoire du régime d'internationalisation, ainsi que les nouvelles circonstances de fait qui marquent les progrès obtenus, grâce à l'action commune des deux États protecteurs au Maroc, ont amené le Gouvernement de Sa Majesté à manifester loyalement son point de vue: le régime définitif de Tanger doit être radicalement modifié.

Le lien qui a pu exister entre l'initiative du Gouvernement de Sa Majesté à propos de Tanger et le problème constitutionnel de la Société des Nations avait un caractère purement circonstanciel, sans rapport avec le fond de l'affaire ("extrinseco"), spécialement destiné à être connu de la France et de l'Angleterre. Pareil rapprochement a cessé d'être opportun. Le Gouvernement espagnol n'a à aucun moment établi ce lien dans la pensée de solliciter de la Société des Nations un mandat sur Tanger, car il a toujours estimé que l'examen de la solution du problème tangérois appartenant seulement aux nations parties à Algésiras et qui conservent des intérêts à Tanger.

Le Gouvernement de Sa Majesté catholique ne croit pas que le cadre propre à l'exposé de son point de vue à Tanger soit la réunion de techniciens dont la convocation avait été prévue pour examiner les réserves formulées par les Puissances invitées à donner leur adhésion au statut de Tanger; mais il serait disposé à répondre à cette invitation des Gouvernements de France et d'Angleterre si, à l'occasion de ces conversations, notre représentant doit pouvoir exposer dans toute sa plénitude le point de vue espagnol tel que le Gouvernement de Sa Majesté catholique le conçoit non seulement au profit de l'Espagne, mais aussi de la paix mondiale et principalement des nations les plus intéressées à tout ce qui touche au Détroit de Gibraltar. Il est évident que cet exposé, que l'Espagne désire faire de son propre point de vue n'implique pas une méconnaissance des traités en vigueur, mais seulement la proposition de les modifier d'un commun accord et au bénéfice de tous en cherchant une solution à ce problème avant que cette solution devienne difficile ou impossible. La loyauté avec laquelle nous devons procéder à l'exposé de notre pensée nous amène cependant à déclarer dès maintenant que les modifications que l'Espagne désire soumettre à la considération de la France et de la Grande-Bretagne sont de nature substantielles et affectent l'essence même du régime de Tanger, et ses rapports avec celui de la zone de protectorat espagnol au Maroc.

L'Espagne se propose d'agir auprès de l'Italie pour obtenir qu'elle renonce à participer aux conversations préliminaires entre les trois nations signataires de la convention du 18 décembre 1923. La raison déterminante de la convocation reçue par l'Espagne pour cette réunion tripartite fut précisément d'examiner les réserves formulées par l'Italie pour donner son adhésion. La nature de l'accord montrera opportune la participation de l'Italie ainsi que celle des États-Unis et des nations qui ont déjà adhéré au statut, au moment qui sera convenu par les trois Puissances signataires de celui-ci, pour assurer ainsi au régime définitif de Tanger la sanction d'un accord solidaire entre tous les États intéressés au problème.

Le Gouvernement de Sa Majesté catholique souhaite avec ferveur que cette extension des débats et des accords qui se dessine aujourd'hui, ne tarde pas à suivre les tentatives préliminaires d'arrangement que les trois Puissances signataires du statut se préparent à entreprendre dans un esprit de sincère et cordiale amitié. Les démarches laborieuses en vue d'obtenir des adhésions isolées qui se poursuivent encore après trois ans prouvent l'opportunité de trouver une méthode plus large et plus compréhensive pour obtenir au profit de tous l'adhésion unanime qui est recherchée.

Le Gouvernement espagnol n'a aucune préférence quant au lieu où s'engageraient les conversations de techniciens. Quant à la date, il suggère la première quinzaine de novembre ou la seconde d'octobre, afin d'avoir le temps de réunir et présenter tous renseignements nécessaires, et aussi laisser au temps exercer une action apaisante,

rendue nécessaire par l'activité et la précipitation avec lesquelles on a dû traiter la question de Tanger pendant ces dernières journées pour les raisons indiquées plus haut.

Le Gouvernement de Sa Majesté catholique désire à cette occasion exprimer au Gouvernement français en même temps que ses sentiments de cordialité et d'amitié envers la France, le sincère désir que, grâce à une solution stable et adéquate au problème, il soit possible à l'Espagne de continuer au Maroc l'onéreuse mission internationale qu'elle ne souhaiterait pas voir gênée ni interrompue et qu'elle remplit en une franche collaboration avec la France, collaboration qu'elle aspire à voir se continuer et se consolider au profit des deux zones de protectorat comme au bénéfice de l'intérêt suprême de la civilisation que les deux nations poursuivent au Maroc.

[**W 8941/76/28**] No. 22.

Mr. Wingfield to Sir Austen Chamberlain.—(*Received September* 20.)

(No. 789.)

Sir, *Rome, September* 16, 1926.

THE "Secolo" of the 14th instant publishes interviews with General Primo de Rivera and Señor Yanguas, respectively President of the Spanish Directory and Spanish Minister for Foreign Affairs, of which I have the honour to give below some extracts with regard to the Tangier question.

2. General Primo de Rivera is reported to have said that Italy had shown a natural desire to be consulted about Tangier, and that it was the duty of Spain to pay the closest attention to the Italian point of view. The policies of the two great Latin nations with regard to the future problems of Morocco had many features in common, and he hoped and believed that this would result in new and more cordial relations between them.

3. Señor Yanguas is reported to have said that the machinery of an international régime for Tangier had been shown by experience to be unworkable, so that a new and quite different régime seemed called for, and would be advantageous not only to Spanish interests in Morocco, but also to the neutrality of the Straits and to the maritime Powers having ancient and vital interests in the Mediterranean. Spain could best be entrusted to maintain the freedom of the Straits and the absence of fortifications on them, since she was not a great naval Power, whilst she already owned one coast of the Straits, and had therefore no cause to covet the other. Such a change could not be made without the assent of the Powers interested and, first of all, of Italy as a Mediterranean Great Power. The United States of America, Sweden, Holland, Belgium and Portugal should also take part in these negotiations; but naturally preliminary discussions would be necessary between the signatories of the 1923 treaty. It would now be necessary to await the end of the League of Nations proceedings at Geneva before this important problem was dealt with. Spain was very grateful to Italy for the friendly reception given to the Spanish proposals, particularly because Italy was on the point of obtaining a share in the Tangier régime calculated to guarantee the interests of her subjects and her commerce.

4. I see from your despatch No. 1246 of the 10th instant that Signor Mussolini, in the instructions sent to the Italian Ambassador in London, modified the attitude adopted in his conversation with me (as reported in my telegram No. 192 of the 31st ultimo), when he specifically admitted that he could not object to private conversations between Great Britain, France and Spain on the subject of Tangier, provided that these did not bear the character of a conference; but Señor Yanguas, in his statement, particularly mentioned the necessity for such preliminary conversations, and Italy can evidently not prevent the three Powers in question from holding them. The Tangier question has, however, become for her, as for Spain, a matter of prestige; and she will be almost certain to make difficulties with regard to any settlement as to which she has not been consulted beforehand. Between her desire to be recognised as participating on equal terms in the solution of the Tangier question and French opposition to any reopening of that question, save to the extent that matters of detail may be modified by agreement with Spain and Great Britain—the other Powers being only asked afterwards to accept the decisions come to—a compromise will be hard to find. The possibility of finding one will doubtless depend to a considerable extent upon the attitude of Spain; but she, like Italy, is not averse to reopening this whole question. It has been suggested that, at the time of the signature of the Treaty of Madrid, Spain

and Italy definitely pledged themselves to co-operate on this question. I do not think that this is the case; but it seems clear that, since both desire to alter the *status quo*, whilst their relations are very cordial, we must nevertheless be prepared for them to play into one another's hands.

I have, &c.
CHARLES WINGFIELD.

[W 9189/76/28] No. 23.

Sir H. Rumbold to Sir Austen Chamberlain.—(Received September 27.)

(No. 440.)
Sir, *San Sebastian, September 24, 1926.*

THE Minister for Foreign Affairs informed me to-day that the Italian Government insisted on taking part in the proposed preliminary conversations at Paris between Great Britain, France and Spain in connection with the Tangier Statute.

2. His Excellency said that he saw no reason why the Italians should take part in these conversations, since their original object had been to study the demands put forward by the Italian Government as a condition of their adhering to the statute. Señor Yanguas also told me that M. Berthelot had suggested that France and Spain as the Powers principally interested in Morocco might have preliminary conversations together, England standing aside for the moment.

3. I then spoke to Señor Yanguas in the sense of your letter of the 6th September to M. Briand which was enclosed in your despatch No. 405 of the 10th instant. I said that I thought that your suggestion for a preliminary conversation between France and Spain, to be followed by a conference of the four interested Powers, would save the Spanish Government from an embarrassing situation. The Italian Government could say nothing if His Majesty's Government stood aside from the conversations between France and Spain, though, of course, the French and Spanish Governments would keep His Majesty's Government informed of what was passing at these conversations. Señor Yanguas appeared to consider your suggestion a very good one.

I have, &c.
HORACE RUMBOLD.

[W 9435/76/28] No. 24.

M. Briand to Sir Austen Chamberlain.—(Handed personally, October 2; Received in Foreign Office, October 5.)

Mon cher Ministre et Ami, *Paris, le 30 septembre 1926.*

VOUS avez bien voulu appeler mon attention sur la position prise en dernier lieu par le Gouvernement italien relativement aux négociations éventuelles sur Tanger demandées par le Gouvernement espagnol, M. Mussolini déclarant que, s'il n'était par associé dès le début aux conversations, il continuerait à refuser son adhésion au Statut municipal de Tanger.

Vous suggérez soit une conversation à quatre (Espagne, France, Angleterre, Italie), soit, et de préférence, une conversation préliminaire directe entre la France et l'Espagne (les deux Puissances directement intéressées, du fait de leur occupation territoriale du Maroc en vertu des traités, et de la demande adressée par l'Espagne à la France de lui céder la situation prépondérante qu'elle occupe à Tanger, territoire chérifien sur lequel quelques Puissances exercent certains droits par délégation du Sultan). L'Angleterre, qui recherche essentiellement à Tanger des garanties militaires, s'effacerait provisoirement et ne prendrait pas part à la conversation franco-espagnole, en vue de faciliter l'adhésion de l'Italie, qui serait consultée ensuite en même temps que l'Angleterre.

Dans sa réponse à la demande espagnole, le Gouvernement français a marqué nettement qu'il restait solidement attaché aux traités et accords qui ont réglé la question du Maroc et le régime spécial à Tanger. Il s'est refusé à élargir la question limitée posée, au sujet du Statut municipal de Tanger, par les demandes italiennes

et espagnoles, ramenées dans le cadre des traités. Il ne saurait donc se rallier à l'idée de réunir une conférence politique sur la base des droits des Puissances méditerranéennes (formellement exclus, d'ailleurs, de toute revendication italienne par nos accords de 1900, 1902 et 1912). Le désintéressement de l'Italie de *l'ensemble* de la question marocaine, en contre-partie de notre désintéressement de la Tripolitaine, place à cet égard l'Italie dans une situation particulière où elle ne peut tenir de concessions de la France que de notre bonne volonté et de notre désir de vivre en relations cordiales avec elle, en ménageant une opinion publique dont son Gouvernement ne modère pas assez l'ardeur, mais sans compromettre, ni remettre en question nos intérêts essentiels.

En ce qui concerne l'Espagne également, le Gouvernement français tient à rester dans le cadre des traités existants et à ne rien remettre en question de nos droits, sanctionnées par des accords internationaux basés sur des concessions réciproques. Par amitié pour l'Espagne, en considération de notre confiante collaboration et confraternité d'armes, nous sommes disposés à examiner avec elle les mesures propres à assurer, spécialement au point de vue de sa zone, un meilleur fonctionnement du Statut municipal de Tanger, sur la base de l'accord de 1923, ainsi que la participation de l'Italie à ce statut, en vue d'obtenir l'adhésion qu'elle a subordonnée jusqu'ici à l'obtention d'avantages définis.

Pour mesurer exactement notre politique et répondre à votre suggestion, il est de toute nécessité de bien préciser la position de la question et les phases diverses qui nous ont amené à la situation actuelle.

Tout d'abord, il y a une question de fond, de nature soit à justifier, soit à affaiblir la demande espagnole relative au Statut municipal de Tanger fixé en 1923; ce statut s'est-il montré en fait inapplicable, et constitue-t-il un échec complet, comme l'a dit le Gouvernement espagnol? Si vous voulez bien prendre connaissance de la note que je joins à ma lettre, vous pourrez constater (et je ne doute pas que le représentant britannique à Tanger ne confirme cette conclusion) que le statut de 1923 a constitué un progrès considérable sur la situation antérieure et fonctionne dans des conditions très satisfaisantes. La demande espagnole ne saurait s'appuyer en réalité que sur des raisons politiques propres à l'Espagne et se justifier que par des raisons de sécurité et de contrebande intéressant sa zone.

Depuis l'accord du 18 décembre 1923 de l'Espagne, de la France et de l'Angleterre, sur le Statut municipal de Tanger, conclu en exécution des traités antérieurs, la question a passé par les phases suivantes: les différentes Puissances intéressées ont, les unes (Belgique, Pays-Bas, Portugal et Suède) adhéré, les autres (États-Unis et Italie) suspendu leur adhésion (pour ces deux dernières, l'accord se serait vraisemblablement fait si une démarche comme satisfaisante avait été faite près d'elles par les Gouvernements frànçais, anglais et espagnol, mais Madrid ne s'est jamais mis d'accord à cet égard avec Londres et Paris). L'Italie a pris une position plus accentuée que les États-Unis et subordonné son adhésion à des conditions qui nous ont été en fin de compte communiquées par le Gouvernement anglais, dont elle prétendait inexactement avoir l'appui. Le Gouvernement français, entrant dans ces vues, a examiné les conditions italiennes avec le Gouvernement anglais et proposé à Madrid que les trois signataires du 1923 se mettent d'accord afin d'obtenir enfin l'adhésion de l'Italie au Statut municipal.

L'Espagne, qui jusqu'alors s'était montrée favorable aux demandes italiennes, a changé brusquement d'attitude, écarté la négociation limitée sur laquelle nous nous pensions d'accord, et posé l'ensemble de la question de Tanger sur le terrain international, suggérant par la voie de la presse, puis par une note aux Puissances, la réunion immédiate à Genève d'une conférence des Puissances signataires d'Algésiras en vue de l'incorporation de Tanger dans la zone espagnole. Le Gouvernement espagnol liait à cette question celle de son maintien dans la Société des Nations et se croyait autorisé à compter sur l'appui de l'Angleterre à la suite d'une conversation du Roi Alphonse XIII à Londres. En réalité, le Gouvernement anglais était, comme le Gouvernement français, nettement opposé à l'incorporation de Tanger dans la zone espagnole.

N'ayant pas obtenu satisfaction sur Tanger, le Gouvernement espagnol s'est retiré de la Société des Nations, et la liaison établie entre les deux questions autorisait la France à considérer dès lors la proposition espagnole comme manquant désormais de contre-partie et de base. Cependant, désireux de témoigner à l'Espagne ses sentiments amicaux, le Gouvernement français a répondu à la note de l'Espagne que, tout en écartant la conférence internationale et se refusant à remettre en question les traités, il était disposé à examiner avec les Gouvernements espagnol et anglais,

signataires du Statut de Tanger, les améliorations éventuelles à y apporter; cela fournirait l'occasion d'examiner en même temps, en vue d'obtenir son adhésion, les demandes précédentes de l'Italie. La distinction entre les demandes espagnoles et italiennes est la suivante: l'Espagne, s'appuyant sur les intérêts de sa zone marocaine, met en avant des demandes de garantie et de sécurité, déclarant que le contrôle et la possession même de Tanger lui permettraient seuls de tenir solidement sa propre zone. L'Italie ne saurait, quant à elle, invoquer aucune raison semblable et n'a qualité pour revendiquer qu'un règlement favorable dans l'ordre des questions purement municipales. Toute autre base des conversations que nous envisageons remettrait en question les traités. Ce n'est pas à titre de Puissance méditerranéenne que l'Italie peut intervenir, la considération des problèmes méditerranéens n'ayant aucune place dans ce débat. On rendrait ainsi le problème insoluble, car la France ne pourrait à aucun degré se prêter à une conférence générale de cet ordre.

Je viens de recevoir la réponse espagnole à la note française du 28 août dernier, où j'avais indiqué la position prise par le Gouvernement français par rapport à la suggestion de l'Espagne: le Ministre d'État déclare qu'il apprécie vivement les sentiments le cordialité témoignés par la France, ainsi que l'offre d'examiner en commun avec l'Angleterre comment certaines satisfactions (qu'elle souhaite aussi près que possible de l'incorporation de Tanger) pourraient être accordées à l'Espagne, suggère la première quinzaine de novembre pour ces conversations et propose d'agir auprès de l'Italie pour obtenir que cette Puissance renonce à participer aux conversations préliminaires entre les trois nations signataires de la convention du 18 décembre 1923.

Pour tenir compte à la fois de cette réponse et de votre suggestion, je serais disposé à accepter la proposition de Madrid et l'époque indiquée, pour une conversation directe entre les Gouvernements français et espagnol, où pourraient être discutés entre nous seuls, d'une part, nos intérêts respectifs de sécurité au Maroc, et, d'autre part, les améliorations à apporter au Statut municipal, qui seules peuvent être l'objet de conversations ultérieures avec l'Italie, puisqu'elles comportent son adhésion au même titre que celle des Puissances signataires des actes d'Algésiras, parmi lesquelles la Russie, qui, dans une note récente, a fait valoir auprès du Gouvernement français ses droits à cet égard.

Dès lors, ou bien un accord serait reconnu impossible entre Madrid et Paris et on resterait sur le *statu quo*, c'est-à-dire l'exécution de l'accord sur le Statut municipal de Tanger pendant les dix ans qui restent à courir (tout en continuant à envisager les concessions susceptibles d'entraîner l'adhésion italienne), ou bien l'accord s'étant établi, des *conversations* avec Londres et Rome (mais non une conférence qui appellerait immédiatement et légitimement des réclamations des autres Puissances signataires d'Algésiras) pourraient se produire pour se mettre d'accord sur un Statut municipal amendé, accord pour lequel nous rechercherions ensemble, *par la voie diplomatique*, l'adhésion de toutes les Puissances intéressées. Si l'Italie adhérait à une procédure où elle serait traitée comme l'Angleterre, je m'y rallierais pour me rapprocher autant que possible de vos vues et donner satisfaction aux susceptibilités italiennes, sans risquer de compromettre les intérêts français, ni de reposer devant une conférence européenne les questions marocaines.

Dès que j'aurai reçu votre assentiment à ces principes, je me réserve de concerter avec vous nos réponses à la note espagnole du 7 septembre courant et la communication verbale à faire au Gouvernement italien.

Veuillez, &c.
ARI. BRIAND.

Aperçu des Résultats de la première Année d'Application du Statut de Tanger.

Finances.

LE premier exercice financier de la zone de Tanger (1er juin–31 décembre 1925) a légué un excédent de recettes d'environ 4,000,000 de francs.

Pour 1926 les recettes atteindront probablement 20,000,000 de francs, dont environ 14,000,000 seront fournis par les droits de douane et de taxe spéciale, 600,000 par le Monopole des Tabacs, environ 1,000,000 par les droits d'enregistrement et de timbre, autant par les droits de consommation sur l'alcool, le sucre, les produits coloniaux et 2,000,000 par la taxe urbaine. Il y a, en outre, 400,000 fr. de taxes perçues à l'abatage des animaux et environ 600,000 de taxes

pour la visite sanitaire maritime, les autres produits n'atteignant pas, au total, plus de 500,000 ou 600,000 fr.

Il convient de remarquer que les droits de douane et de taxe spéciale, les droits de consommation, les droits de visite sanitaire maritime, les taxes d'abatage, les droits de marchés qui représentent les 4/5 des recettes totales sont acquittés par l'entremise de commerçants en gros, de compagnies de navigation, de bouchers ou de détaillants établis dans les marchés. D'où une extrême facilité de recouvrement. En outre, les droits de douane et de taxe spéciale étant *ad valorem* assurent, par leurs plus-values, l'équilibre du budget en cas de baisse de la monnaie légale (le franc marocain); les tarifs des droits de consommation (500 fr. par hectolitre pour l'alcool, 50 fr. aux 100 kilogs. pour le sucre) sont très peu élevés et pratiquement inférieurs à ceux en vigueur dans le protectorat français et à peine équivalents à ceux perçus dans la zone d'influence espagnole.

L'action des services financiers de l'Administration internationale s'est exercée plus particulièrement en vue de la perception de l'unique impôt direct présentant quelque importance: la taxe sur les constructions urbaines (8 pour cent de la valeur locative des immeubles). Les rôles établis d'après le recensement effectué en 1925 atteignent environ 1,500,000 fr. Le recouvrement s'effectue sans aucune difficulté; il a même été possible, en une année, de faire rentrer, sans aucun acte de poursuites, environ 1,200,000 fr., *sur des arriérés d'environ 3,000,000 remontant en partie à 1910*, et que l'on devait normalement considérer comme irrécouvrables.* La perception des droits d'enregistrement, des droits sur mutations immobilières (5 pour cent *ad valorem*) et des droits de timbre n'a soulevé aucune protestation.

Bien que Tanger soit incontestablement la ville la moins imposée du Maroc, ses recettes budgétaires excèdent d'environ 25 pour cent les frais d'administration et d'entretien (dépenses normales et permanentes), et sur les 20,000,000 de recettes probables, 5,000,000 ont pu être consacrés dès 1926 à l'exécution d'importants travaux de voirie et d'édilité.

En résumé, l'administration financière s'est installée sans heurts et a donné, à la faveur de certaines circonstances locales et de la prudence extrême déployée par les services, des résultats inespérés.

Services d'Hygiène et d'Assistance.

Les Services d'Hygiène et d'Assistance (confiés à l'administrateur-adjoint espagnol) ont pris, dès à présent, un développement intéressant.

La ville est partagée en secteurs, dont chacun est visité par des agents sanitaires qui signalent aux services de nettoiement (confiés à l'ingénieur espagnol des travaux municipaux) les défectuosités rencontrées, et relèvent dans des procès-verbaux les contraventions aux arrêtés municipaux relatifs à l'hygiène publique. Le nettoiement et l'enlèvement des ordures ménagères sont opérés par des procédés modernes (tombereaux couverts, &c.); des arroseuses automobiles ont été achetées pour le lavage des rues.

Une très importante réforme a été réalisée: la suppression des abattoirs qui fonctionnaient en pleine ville dans les plus mauvaises conditions hygiéniques. Un abattoir modèle construit il y a plusieurs années par le Service des Travaux publics de la Caisse spéciale, sur l'oued Mogoga, à 5 kiloms. de Tanger, a été mis en état et l'abatage des animaux y est opéré depuis le 1er mai sous le contrôle d'un vétérinaire avec toutes les garanties que nécessite l'hygiène. Une fourrière municipale a été également créée dans les mêmes locaux.

L'assistance médicale n'a pas été négligée; un dispensaire municipal avec salle de pansements et salle d'opérations a été aménagée dans le bas quartier de la ville indigène. Dès le premier mois, il a été donné à ce dispensaire un très grand nombre de consultations, tant aux indigènes qu'aux Européens; plusieurs opérations y ont été pratiquées et cette institution paraît appelée à un entier succès.

Service des Travaux publics.

(A.) *Travaux publics d'Etat.*

Le Service des Travaux publics d'Etat chargé de contrôler les compagnies concessionnaires, sous la direction d'un ingénieur français assisté d'un adjoint britannique, a procédé à d'importantes études:

1. Pour la revision des tarifs d'acconage de la Société du Port, et pour la construction du port, qui est poursuivie dans les meilleures conditions de rapidité.

* Les rentrées de l'ancienne Administration de la Taxe urbaine étaient tombées en 1924 à environ 400,000 francs au total.

Le Service des Travaux publics a étudié notamment les modifications à apporter aux plans primitifs, tant en ce qui touche à la direction qu'au profil des ouvrages, au raccordement du port à la voie ferrée, &c.;

2. Pour la construction d'une gare de voyageurs à proximité immédiate de la ville. Des projets établis par la Compagnie du Tanger–Fès ont été repris et modifiés, des négociations ont été engagées avec les propriétaires des terrains où doit s'élever la future gare. Les projets définitifs pourront être soumis à l'approbation de l'Assemblée à la rentrée, et la construction de la gare suivra de près la mise en exploitation de la voie ferrée qui pourra être opérée dans les derniers mois de l'année courante ou les premiers de 1927;

3. Pour le développement de la canalisation de la Société des Eaux et l'extension de ses canalisations d'eau à des quartiers nouveaux, la revision et le rajustement des tarifs de la compagnie qui, étant établis en francs marocains, étaient devenus insuffisants en raison de la baisse de cette monnaie;

4. Enfin, au cours des mois de juillet et d'août le service a étudié la concession de l'éclairage électrique de Tanger à une société nouvelle, résultant de la fusion de la société espagnole qui exploite actuellement l'éclairage avec la Société marocaine de Distribution d'Eau et d'Electricité qui est concessionnaire de l'éclairage dans la plupart des villes du protectorat français. La société espagnole, qui ne dispose que d'un matériel démodé était incapable de le transformer par ses propres moyens, de manière à assurer normalement l'éclairage de la ville. La nouvelle concession pourra être accordée dans le dernier trimestre de 1926 pour entrer en vigueur le 1er janvier prochain.

(B.) *Travaux publics municipaux.*

Le Service des Travaux publics municipaux, dirigé par un ingénieur espagnol assisté d'un adjoint français, a employé les crédits élevés dont il disposait à faire des travaux importants de réfection de chaussées et d'égouts. Tout un ensemble de rues dans la ville indigène et la voirie du Grand Sokko a été refaite en ciment; de nombreuses voies ont été empierrées et goudronnées ou pourvues de revêtements spéciaux.

Une halle spéciale a été construite au marché couvert pour la vente du poisson; le marché lui-même a été cimenté et les terrasses des boutiques refaites. Un travail important d'agrandissement de la prison internationale est en cours.

Un projet d'ensemble pour l'assainissement du quartier du Souani (où sévissait la fièvre typhoïde) a été établi et mis en adjudication. Ce projet comporte l'établissement d'un réseau d'égouts et de plusieurs voies nouvelles: la dépense excède 1,000,000.

La construction d'une route suivant l'ancienne piste du camp espagnol de R'gaia a été entamée sur 8 kiloms., pour faciliter l'arrivée à Tanger des produits d'une importante ferme créée dans cette région. Un chemin de colonisation a été entrepris également pour desservir entre les routes de Rabat et de Tétouan une zone où existe déjà une grosse exploitation agricole.

Des routes ont été créées ou améliorées dans un intérêt touristique vers le phare du cap Spartel, les grottes d'Hercule et la plage de Sidi Kacen. L'étude d'une route côtière jusqu'à la pointe de Malabata a été commencée.

Enfin, l'établissement d'un plan général d'amélioration et d'extension de la ville a été poursuivi avec le concours d'une société de plans photographiques par avion. Dès que les épreuves en auront été livrées, l'administration fera appel à un architecte urbaniste dont la compétence permettra, sans doute, d'atténuer le mal déjà fait par les constructions édifiées au hasard suivant la fantaisie des propriétaires et de faire de Tanger une ville en rapport avec la beauté de son cadre.

Services divers.

Un Service de Conservation foncière, fonctionnant d'après un système inspiré de l'"Act Torrens," a commencé à fonctionner depuis juillet dernier. De nombreuses demandes d'immatriculation d'immeubles urbains ont déjà été déposées. Il n'est pas douteux que les Tangérois sauront reconnaître les avantages d'un système qui met fin aux incertitudes qui pèsent sur la propriété foncière et paralysent les transactions immobilières.

Une police civile placée, conformément au Statut, sous les ordres d'un commissaire chef de service désigné par l'Assemblée, a été organisée dès juillet 1925. La ville est divisée en deux secteurs confiés chacun à un commissaire. La police

comprend environ 90 agents ou brigadiers du service général et une dizaine d'agents de la sûreté. Le service de la rue, d'abord médiocre en raison de l'insuffisance des cadres et de l'absence d'agents connaissant déjà le métier, s'améliore de jour en jour. La sûreté fonctionne dans des conditions très satisfaisantes; il est très rare que des individus signalés par la police de Gibraltar ou celle d'une des villes de la zone espagnole ne soient pas arrêtés le jour même de leur arrivée à Tanger. Il en est de même des individus qui commettent à Tanger des délits ou des crimes: dans une affaire récente (un vol qualifié commis vers 5 heures du matin) les coupables étaient arrêtés et les objets volés retrouvés dès 8 heures.

Tribunal mixte.

Le Tribunal mixte fonctionne dans les conditions prévues au statut. Il assure dès maintenant à la presque généralité des habitants de Tanger le bénéfice d'une juridiction commune, composée de magistrats de carrière, alors que la multiplicité des tribunaux consulaires faisait disparaître dans la plupart des cas les garanties que l'on est en droit d'attendre d'une organisation judiciaire.

Assemblée législative internationale.

L'Assemblée législative internationale a dû faire face depuis un an à un travail législatif et réglementaire très important.

Les experts de Rabat n'avaient établi (en vertu de l'article 33 de la convention) qu'un nombre très restreint de textes réglementaires ou fiscaux. De même la commission de techniciens réunie à Paris en exécution de l'article 32 n'avait rédigé que des codes. La plupart des règlements de police, d'hygiène, voirie, finances et un grand nombre de lois usuelles restaient à établir. En outre, l'Assemblée devait, comme un conseil municipal, régler par des délibérations les affaires de la commune (budget, programme de travaux publics, concessions, &c.). Malgré les difficultés afférentes à un travail poursuivi en trois langues (français, espagnol et arabe), l'Assemblée a assumé cette lourde besogne avec un entier dévouement. Il n'y a eu de défection ni aux séances publiques, ni au travail en commissions. Les discussions ont toujours été d'une extrême courtoisie, malgré l'opposition des idées et parfois des intérêts en présence. De plus, l'Assemblée, contrairement à ce que l'on pouvait redouter d'après ses débuts, s'est mise à collaborer avec l'administration dans un esprit d'entière confiance, si bien que certaines espérances déçues l'ont fait accuser d'avoir abdiqué son indépendance entre les mains de l'administrateur.

Comité de Contrôle.

En raison de la sagesse de l'Assemblée législative, le comité de contrôle (dont le rôle est uniquement de veiller au respect des clauses du statut) n'a eu que rarement à intervenir. Il n'a annulé qu'une seule des délibérations de l'Assemblée et encore l'a-t-il regretté. Il se réunit environ toutes les semaines et accomplit normalement sa fonction de Haute-Cour constitutionnelle, sans se laisser aller à la tentation d'intervenir dans le domaine législatif comme le ferait une Chambre-Haute.

Conclusion.

En résumé, il est possible d'affirmer sans redouter aucun démenti que, en dépit des difficultés politiques, l'organisation d'ensemble prévue par les négociateurs de Paris a fonctionné dès cette première année dans des conditions aussi satisfaisantes qu'on pouvait l'espérer. D'autre part, toute inquiétude sur les possibilités financières. D'existence de la zone de Tanger est désormais écartée.

Par ailleurs, si le blocus commercial établi par l'Espagne autour de Tanger du 15 avril au 25 juillet dernier a entravé les affaires et causé d'indéniables pertes aux négociants tangérois, il est inexact qu'une crise économique violente sévisse à Tanger. La construction y est aussi active qu'à aucun moment et le chômage y est restreint.

Les revendications ouvrières (surexcitées par la politique) sont fondées presque uniquement sur la baisse, en valeur absolue, de salaires payés en francs ou d'après la contrevaleur du franc en pesetas espagnoles. C'est une crise de réajustement, compliquée du fait que la protectorat français importe à Tanger (à la faveur de la baisse du franc) des quantités croissantes de produits ouvrés qui sont de la sorte soustraites à la fabrication locale.

Mais cette crise n'a aucun rapport avec le statut et, par contre, le statut a apporté à Tanger une administration et un régime judiciaire réguliers, une amélioration déjà très sensible des services publics, d'importants travaux publics, un port et un chemin de fer dont la mise en exploitation prochaine permettra à cette ville, sinon de réaliser les espérances qu'on avait fondées un peu légèrement sur son avenir, du moins de remplir sa destinée de port de transit et de centre de tourisme.

Le 1er septembre 1926.

[**W 9435/76/28**] No. 25.

Sir Austen Chamberlain to M. Briand.

My dear Minister and Friend, *Foreign Office, October* 11, 1926.

I HASTEN to thank you for the sympathetic reception which you have given to my proposals for dealing with the problems which have arisen from the Spanish and Italian claims respecting Tangier.

I am glad to note that we are in agreement as to the procedure to be followed, namely, conversations in the first instance between France and Spain, followed, if a basis of agreement is reached, by conversations between France, Spain, Great Britain and Italy. If no basis of agreement is found we maintain the *status quo* for the ten years during which the Tangier statute has still to run, and we continue to examine the question of securing the accession of Italy. In no eventuality, however, do we envisage anything in the nature of a general conference. Should agreement happily be reached on all the points at issue between the four Powers, the assent of the other signatories of the Act of Algeciras will be sought through the diplomatic channel.

These proposals were recently outlined in conversation between our Ambassador in Madrid and the Spanish Foreign Minister. Señor de Yanguas appeared satisfied with the suggested procedure. I believe that it will be equally satisfactory to M. Mussolini, with whose ideas, as far as explained by him in our conversation at Leghorn, it would seem to correspond.

The next step, therefore, is to obtain the formal assent of the Spanish and Italian Governments to the procedure on which we are agreed, and I suggest that our representatives in Madrid and Rome should be instructed forthwith to concert in doing so. If, as I anticipate, the two Governments fall in with our views, it will only remain for you to initiate the Franco-Spanish conversations, of the progress of which, may I remind you, you have promised to keep me closely informed.

Yours sincerely,
AUSTEN CHAMBERLAIN.

[**W 9819/76/28**] No. 26.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 2941.)

My Lord, *Foreign Office, October* 18, 1926.

M. DE FLEURIAU, who had just returned from Paris, communicated to me to-day M. Briand's views on the proposals which I had made respecting the steps now to be taken to start the Tangier conversations.

M. Briand, whilst accepting generally the procedure which I had suggested, thought it would be better that the Ambassadors of France and Great Britain at Madrid should first assure themselves of the assent of the Spanish Government to a preliminary Franco-Spanish negotiation at Paris. In case of an accord between France and Spain, this negotiation should be followed by an attempt to secure agreement between these two Powers, Great Britain and Italy. M. Briand proposed that as soon as the Spanish Government should have accepted this procedure the three Ambassadors of France, Great Britain and Spain at Rome should secure the consent of the Italian Government.

Your Excellency will observe that the only change proposed is that this communication should be made first to the Spanish Government and that the Spanish Government should then be associated in the communication made to

Italy. I understand that this change is proposed in order to meet Spanish susceptibilities. I propose to accept it and trust it will lead to no difficulties.

The Ambassador then reverted to the Thoiry conversation and said that he derived the impression from M. Briand and others to whom he had spoken in France that the negotiations were likely to take a very long time. As the matter was examined it was found to be extremely complicated and to raise many difficulties. The attitude which M. Briand had adopted was that Germany had something to ask of France, that it was for the German Government to offer something in return and that he would await proposals from Berlin; though meanwhile he had requested M. Berthelot, M. Fromageot and M. Massigli to study the question from the French point of view.

I myself feel that nothing is to be gained by attempting to hurry the negotiations and that indeed much more consideration is required both on the part of the Germans and of the French before they could usefully renew the conversation. It would seem, however, from the names mentioned by the Ambassador that the problems which the French Government are studying are rather the conditions on which they could make the suggested concessions to Germany than the proposals which they might accept from Germany in return. I did not think it necessary or indeed desirable to tell M. de Fleuriau that the information sent me from Berlin led me to think that Dr. Stresemann on his side was inclined to wait for proposals from France.

I am, &c.
AUSTEN CHAMBERLAIN.

[**W 9819/76/28**] No. 27.

Sir Austen Chamberlain to Sir H. Rumbold (Madrid).

(No. 465.)

Sir, *Foreign Office, October* 27, 1926.

YOU will have seen in the confidential print (Morocco, 11th October, section 1) a copy of my letter to M. Briand, in which I suggest the procedure to be followed in regard to the forthcoming Tangier conversations.

2. The French Ambassador has since called to inform me that M. Briand, whilst accepting generally the proposed procedure, thinks that it would be better that the Ambassadors of France and Great Britain at Madrid should, in the first instance, assure themselves of the assent of the Spanish Government. Only if the Spanish Government agree would the three Powers endeavour to secure the consent of the Italian Government. M. Briand has, I believe, proposed this slight change in order to run no risk of offending Spanish susceptibilities

3. I am prepared to fall in with M. Briand's views, and I request that your Excellency will concert with your French colleague in inviting the Spanish Government to agree to the proposed procedure, viz, conversations in the first instance between Spain and France, followed, if a basis of agreement is reached, by conversations between France, Spain, Great Britain and Italy. If the Spanish Government agree to this course, the next step will be for the representatives of the three Governments at Rome to concert in obtaining the formal consent of the Italian Government.

I am, &c.
AUSTEN CHAMBERLAIN.

[**W 9819/76/28**] No. 28.

Sir Austen Chamberlain to M. de Fleuriau.

Your Excellency, *Foreign Office, October* 27, 1926.

AT our conversation on the 18th instant you informed me that M. Briand, whilst accepting generally the procedure which I had suggested for the forthcoming Tangier conversations, thought it would be better that the Ambassadors of France and Great Britain at Madrid should in the first instance assure themselves of the assent of the Spanish Government.

2. I have the honour to inform your Excellency that I am prepared to fall in with M. Briand's views, and I have instructed His Majesty's Ambassador at Madrid to concert with his French colleague in obtaining the formal assent of the Spanish Government to the procedure on which M. Briand and I have agreed. If, as I anticipate, the Spanish Government raise no objection, the next step will be for the representatives of the three Powers at Rome to concert in securing the consent of the Italian Government.

I have, &c.
AUSTEN CHAMBERLAIN.

[W 10444/76/28] No. 29.

Sir H. Rumbold to Sir Austen Chamberlain.—(Received November 8.)

(No. 515.)
Sir, *Madrid, November 5, 1926.*

WITH reference to my telegram No. 131 of yesterday's date, I have the honour to inform you that the Minister for Foreign Affairs, in an interview which I had with him this morning, entirely confirmed what the Under-Secretary of State had written to the French Ambassador with regard to the agreement of the Spanish Government in the suggested procedure to be followed in connection with the forthcoming Tangier conversations. The only question which Señor Yanguas asked me was whether, in your view, the conversations between France, Spain, Great Britain and Italy should be conducted through the diplomatic channel. I replied that I was certain that your intention was that these conversations should be so conducted. His Excellency was quite in agreement with this, and informed me that the Spanish Ambassador to the Quirinal had been instructed to return to his post and to get into touch with his British and French colleagues in endeavouring to secure the consent of the Italian Government to the proposed procedure.

2. Señor Yanguas further informed me that the French Government had suggested the second half of January for the conversations with the Spanish Government about Tangier.

I have, &c.
HORACE RUMBOLD.

[W 10444/76/28] No. 30.

Sir Austen Chamberlain to Sir H. Rumbold (Madrid).

(No. 68.)
(Telegraphic.) R. *Foreign Office, November 12, 1926.*

YOUR despatch No. 515 of 5th November: Procedure for Tangier negotiations.

Some misapprehension appears to have arisen in regard to proposed procedure. I have always thought, and M. Briand appears to share my view (see penultimate paragraph of his letter of 30th December), that conversations *à deux* between specially appointed French and Spanish representatives were to be followed by conversations between French, Spanish, British, and Italian representatives. Such conversations would be on the lines of those proposed by the French Government in August last to consider the accession of Italy, or those held in London in June 1923 to find an agreed basis for the Tangier Conference. In no case would they be styled or assume the proportions of a conference. The French and Spanish Governments will presumably decide forthwith who are to be their representatives for the conversations *à deux*. When these are over it will be for the four Powers to agree upon the status of their representatives and the place of meeting. A decision on this point is premature now, but I consider that it is quite essential that we should all agree in principle that the conversations *à quatre* should be held round a table. Any attempt to conduct these delicate and complicated negotiations by diplomatic correspondence between the four Governments must lead to confusion, misunderstandings and eventual failure.

Please convey my views to the Spanish Government and do your best to secure their acceptance. In order to avoid any possibility of a similar misunderstanding in Paris or Rome I am sending similar instructions to His Majesty's representatives in those capitals.

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[W 10444/76/28] No. 31.

Sir Austen Chamberlain to Sir R. Graham (Rome).

(No. 1572.)
Sir, *Foreign Office, November 13, 1926.*

WITH reference to my despatch No. 1482 of the 28th ultimo, I transmit herewith a copy of correspondence with His Majesty's Ambassador at Madrid on the subject of a misunderstanding which appears to have arisen in regard to the proposed procedure for the Tangier negotiations.

2. Whilst there is no reason to suppose that there is any similar misapprehension on the part of the Italian Government, it will be as well to clear the matter up definitely without delay. I request accordingly that your Excellency will communicate to the Italian Government the substance of my telegram No. 68 to Sir Horace Rumbold, and enquire whether they concur in my interpretation of the procedure upon which the four interested Powers have in principle agreed.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 10444/76/28] No. 32.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 3181.)
My Lord Marquess, *Foreign Office, November 13, 1926.*

WITH reference to my despatch No. 3023 of the 27th ultimo, I transmit herewith a copy of correspondence with His Majesty's Ambassador at Madrid on the subject of a misunderstanding which appears to have arisen in regard to the proposed procedure for the Tangier negotiations.

2. Whilst there is no reason to suppose that there is any similar misapprehension on the part of the French Government, it will be as well to clear the matter up definitely without delay. I request accordingly that your Lordship will communicate to the French Government the substance of my telegram No. 68 to Sir Horace Rumbold, and enquire whether they concur in my interpretation of the procedure upon which the four interested Powers have in principle agreed.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 10674/76/28] No. 33.

Sir R. Graham to Sir Austen Chamberlain.—(Received November 15.)

(No. 966.)
Sir, *Rome, November 12, 1926.*

WITH reference to your telegram No. 254 of the 5th instant, I have the honour to report that, on the return of my Spanish colleague on the evening of the 8th November, I concerted with him and with my French colleague to act on your instructions with regard to informing the Italian Government of the procedure proposed for the forthcoming Tangier conversations.

2. The proposal was already known to the Italian Government and had appeared in the press. We therefore decided that the Conte de la Vinaza, who would on his return to Rome be seeing Signor Mussolini, should address himself directly to his Excellency, while the French Ambassador and I made our enquiry to the Secretary-General of the Ministry for Foreign Affairs. In view of Signor Mussolini's overwhelming burdens at the present moment we endeavoured to spare his Excellency as much as possible.

3. I therefore called on Signor Bordonaro on the 9th November and informed him of your proposal. He stated at once that the Italian Government entirely agreed.

4. My Spanish colleague has given me an account of his subsequent conversation with Signor Mussolini. The latter, in expressing his agreement to the course proposed, said that, in his opinion, it would be preferable to settle the whole question through

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diplomatic channels rather than by anything in the nature of a Tangier conference. Once a conference were started, the international press would allow its imagination to run loose, and public feeling would probably be misinformed and excited. We were much more likely to arrive at a satisfactory settlement of the whole question if the Governments concerned gave instructions to, say, their Ambassadors in Paris. The latter could negotiate an agreement and sign any settlement reached.

I have, &c.
R. GRAHAM.

[W 10780/76/28] No. 34.

Sir H. Rumbold to Sir Austen Chamberlain.—(Received November 17.)

(No. 132.)
(Telegraphic.) R. *Madrid, November 17, 1926.*

YOUR telegram No. 68.

Your views were communicated yesterday to Minister of State, who has replied that Spanish Government agree to procedure suggested, and that conversations *à quatre* shall not have the character of a conference and shall be conducted round a table, not by diplomatic correspondence.

His Excellency enquired whether idea of His Majesty's Government is that representatives at these conversations should be technical experts, or, rather political representatives, as at conference in Paris, or both.

[W 10780/76/28] No. 35.

Sir Austen Chamberlain to Sir H. Rumbold (Madrid).

(No. 69.)
(Telegraphic.) R. *Foreign Office, November 22, 1926.*

YOUR telegram No. 132, second paragraph, of 17th November.

We consider decision as to status of representatives to be premature now. When time comes, choice must necessarily depend on the terms and nature of the agreement which may be reached by the French and Spanish Governments at the previous conversations *à deux*.

[W 11030/76/28] No. 36.

The Marquess of Crewe to Sir Austen Chamberlain.—(Received November 26.)

(No. 2236.)

HIS Majesty's representative at Paris presents his compliments to the Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a note from the Minister for Foreign Affairs, dated the 23rd November, 1926, respecting conversations on the subject of Tangier.

Paris, November 25, 1926.

Enclosure in No. 36.

M. Berthelot to the Marquess of Crewe.

M. l'Ambassadeur, *Paris, le 23 novembre 1926.*

VOUS avez bien voulu me faire savoir par lettre du 17 de ce mois que, d'après les informations transmises au Gouvernement de Sa Majesté britannique par son Ambassadeur à Madrid, un malentendu semblait s'être produit dans l'esprit du Gouvernement espagnol quant à la procédure des futures conversations au sujet de Tanger. Le Gouvernement espagnol paraissait être sous l'impression que les négociations entre la France, l'Espagne, l'Italie et la Grande-Bretagne, qui suivront éventuellement les conversations à deux entre la France et l'Espagne, seraient conduites par voie de correspondance diplomatique entre les quatre Gouvernements.

Le principal Secrétaire d'État pour les Affaires étrangères, au contraire, a toujours été dans l'opinion—dont il a cru trouver l'expression dans l'avant-dernier paragraphe de ma lettre du 14 septembre—que les conversations à deux seraient suivies de conversations à quatre, lesquelles ne sauraient, d'ailleurs, en aucun cas, recevoir le nom ni prendre les proportions de conférence.

Tout en estimant que les quatre Puissances agiraient prématurément si elles désignaient actuellement leurs représentants en vue de cette série de conversations et fixaient un lieu de réunion, il considère comme essentiel qu'elles se mettent dès maintenant d'accord en principe pour que les conversations à quatre soient tenues autour d'une table.

Vous avez bien voulu me demander si je partageais ces vues.

J'ai l'honneur de vous faire connaître que je suis pleinement d'accord avec Sir Austen Chamberlain sur la réponse que comporte la question soulevée par Sir Horace Rumbold. Ma lettre du 14 septembre prévoyait, il s'en souviendra certainement, que si l'entente s'établissait dans la conversation directe franco-espagnole, des entretiens auraient lieu entre les représentants français et espagnols et les représentants anglais et italiens et que les quatre Puissances rechercheraient ensuite par la voie diplomatique l'adhésion des autres Puissances intéressées.

Je marquais ainsi nettement que la correspondance diplomatique était réservée pour le troisième et dernier stage de la procédure, le second, celui des négociations à quatre, devant, comme la négociation à deux du début, assembler les représentants des Gouvernements intéressés dans une réunion qui tentera de réadapter le statut municipal de Tanger sans remettre en question les traités, ni prendre le caractère d'une conférence politique.

Le moment n'est, d'ailleurs, pas venu d'arrêter l'organisation des conversations à quatre, qui restent subordonnées à l'accord franco-espagnol. Je tiens, cependant, à spécifier que le lieu des conversations ne peut être que Paris, puisque c'est à la France qu'on demande essentiellement des concessions pour faciliter le règlement d'une question de politique générale et que, pour leur garder leur caractère pratique d'entretiens et non de conférence, il est désirable d'en charger de part et d'autre des techniciens des questions marocaines, dans l'espèce, pour les conversations franco-espagnoles, le Directeur du Bureau du Maroc à Madrid et son collègue du Ministère des Affaires étrangères français, agissant l'un et l'autre *ad referendum*.

Ces conditions semblent devoir laisser dorénavant au Gouvernement français l'initiative des démarches relatives à la négociation. Il envisage, d'ailleurs, sa coopération avec le Gouvernement britannique dans l'esprit le plus confiant. Je serais reconnaissant à votre Excellence de vouloir bien en donner l'assurance au principal Secrétaire d'État en même temps qu'elle lui fera part des considérations exposées dans la présente lettre.

Veuillez, &c.
(Pour le Ministre des Affaires étrangères),
BERTHELOT.

[W 11030/76/28] No. 37.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 3355.)
My Lord Marquess, *Foreign Office, December 3, 1926.*

I HAVE received your Lordship's despatch No. 2236 of the 25th ultimo enclosing a copy of a note in which the French Government give their views in regard to the forthcoming Tangier conversations.

2. I agree that the conversations *à quatre*, if they take place, should be held in Paris, and that, since agreement in principle has been reached between the Powers concerned, it should now be left to the French Government to take the initiative in making the necessary arrangements for the conversations. You are authorised, if you think fit, to inform the Quai d'Orsay accordingly.

I am, &c.
AUSTEN CHAMBERLAIN.

(b.) Accession of Italy to the Tangier Convention.

[W 5919/76/28] No. 38.

*Sir Austen Chamberlain to the Marquess of Crewe (Paris).**

(No. 1946.)

My Lord, *Foreign Office, July* 8, 1926.

I TRANSMIT to your Lordship herewith a copy of a despatch from His Majesty's Ambassador at Rome and of a despatch to His Majesty's consul-general at Tangier regarding the concessions which the Italian Government have demanded as a condition of their accession to the Tangier Convention.

2. I consider that it would be a mistake to communicate to the French Government the text of the Italian memorandum until His Majesty's Government are in a position to express definite views of their own in regard thereto. I shall be glad, therefore, if you will merely inform the French Government that His Majesty's Government have received an indication of the Italian views, but that they require further information before they can express a definite opinion upon them. When I have received and considered this further information, for which I am applying to His Majesty's consul-general at Tangier, I will communicate fully with the French Government.

3. A similar despatch is being addressed to Madrid.

I am, &c.

AUSTEN CHAMBERLAIN.

[W 5919/76/28] No. 39.

Foreign Office to Mr. Clive (Tangier).

(No. 209.)

Sir, *Foreign Office, July* 8, 1926.

WITH reference to Foreign Office despatch No. 203 of the 30th June last, I am directed by Secretary Sir Austen Chamberlain to transmit herewith a copy of a despatch from His Majesty's Ambassador at Rome, in which he encloses a copy of a confidential memorandum enumerating the concessions which Italy desires to obtain in return for her accession to the Tangier Convention.

2. The Italian conditions of accession are approximately the same as those which His Majesty's Government rejected categorically in 1924, except that their demands have been reduced in three particulars, viz. :—

(1.) In 1924 the Italian Government asked for "some Italian magistrates"; now they ask for "one."

(2.) They now ask for only one vice-president of the Assembly, instead of a vice-president, one more member of the Assembly and an assistant administrator on the executive staff.

(3.) They no longer insist on maintaining a diplomatic agency, but will be content with a consul-general chosen from the diplomatic staff.

It must also be observed that the Italian Government are now evidently prepared not to insist on satisfaction in regard to every point enumerated.

3. The necessity of securing the accession of Italy at an early date and the more conciliatory mood of the Italian Government are both reasons why His Majesty's Government should adopt a more flexible attitude than in 1924. Of course, the Italian Government are not really entitled to demand any concession, but they hold the whip hand, since without their accession the new régime will almost certainly end in failure. Moreover, the Italian demands in themselves seem not altogether unreasonable.

4. Taking the demands seriatim, Sir Austen Chamberlain's first views are as follows :—

(1.) *Appointment of Italian Officer to Italian Mission at Tangier.*

There can be no objection. The duties of the officer under article 3 of the Tangier Convention are purely formal.

* Also to His Majesty's Chargé d'Affaires, Madrid (No. 320), *mutatis mutandis*.

(2.) *Italian Navy to participate in the Surveillance of Arms Traffic.*

From the British point of view this seems entirely unobjectionable, but in view of French suspicions of Italy it is possible that the French Government may object. Before expressing a definite opinion I am consulting the Admiralty on the point.

(3.) *Italian Vice-President of the Assembly.*

No objection. Incidentally it may be remarked that M. Mussolini's estimate of the Italian population seems highly exaggerated. According to the information available at the Tangier Conference in 1923, the total European population of Tangier did not exceed 12,000, of whom only approximately 300 were Italians.

(4.) *Italian Judge of Mixed Tribunal.*

No objection. The French Government have already agreed, and His Majesty's Ambassador at Rome has intimated to M. Mussolini that His Majesty's Government are prepared to offer a British judgeship to the Italian Government.

(5.) *Italian Secretary-Registrar of Mixed Tribunal.*

There seems no objection. The secretary-registrars of the Mixed Tribunal are subordinate officials of little importance, and there should be no difficulty in appointing one of these posts to an Italian if a suitable candidate can be found.

(6.) *Submission to Italian Government of Codes and Regulations.*

This presents difficulties. Under article 32 of the Tangier Convention, the Assembly may abrogate or modify the regulations with the assent of the Committee of Control after the convention has been in force for two years, *i.e.*, in a year's time. The regulations have now been in force for a year and everyone is accustomed to them. If at the behest of the Italian Government any substantial modification is made the Assembly and the population of Tangier may feel justifiably aggrieved. It should be pointed out to the Italian Government that in one year's time these codes will be open to amendment, and that the Italian members of the Assembly will be able to propose any amendments they like. It will not be for any of the signatory Governments to propose amendments, but for the Tangier Assembly. His Majesty's Government feel that the codes should remain unaltered for a further year, and they are confident that any justifiable and reasonable amendments which the Italian Government may have in view will be carried into effect on the expiry of this period.

(7.) *Protection of Italian Interests in Customs Valuation.*

This demand looks as if it were made under a misapprehension. The Customs Commission will consist of representatives of the three zones in Morocco and not of representatives of the three contracting Powers. It is difficult to see why a representative of the Italian Government should be included in the commission any more than a representative of His Majesty's Government. If His Majesty's Government explain the position to the Italian Government they will perhaps withdraw this demand.

(8.) *Appointment as Italian Consul-General at Tangier of a Member of the Diplomatic Service.*

His Majesty's Government certainly cannot object, since it is what they do themselves. The French Government, who have raised no objection in the case of His Majesty's Government, can scarcely do so in the case of the Italian Government.

(9.) *Participation of Italian Capital and Labour in Tangier Port Company.*

There ought to be no trouble in arranging for Italian participation in the capital of the company—there was great difficulty in raising it. As regards labour, the Italian Government seem to be under a misapprehension. None of the three contracting Powers have demanded that any part of the port works should be entrusted to their nationals, and the contract for the various works is to be

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put up to public tender. The company is a private one, and it would be difficult for the signatory Governments to lay down that the company *must* employ Italian labour. In point of fact, the Italian population of Tangier consists mainly of Italian labourers, especially imported for public works, including work on the port, so that Italian labour is practically certain of participating.

5. A further point to be considered is the position in relation to the Italian demands of the Powers who acceded to the Tangier Convention after its signature. Satisfaction of the Italian demands entails a modification of the Tangier Convention, and the signatory Powers cannot modify the convention without the consent of the other contracting parties. The latter may well refuse to agree to the Italian demands unless further concessions are made to themselves. This difficulty, however, need not be faced at the moment, and the first and most urgent task is for His Majesty's Government to concert with the French and Spanish Governments in coming to terms with Italy.

6. I am to enquire whether you concur in the views expressed above, and to state that Sir Austen Chamberlain will be glad to receive any observations on the whole subject which you may desire to offer.

I am, &c.
G. H. VILLIERS.

[J 1885/19/1] No. 40.

Sir Austen Chamberlain to Sir R. Graham (Rome).

(No. 961.)
Sir, *Foreign Office, July 9, 1926.*

THE Italian Ambassador informed me to-day that he had been instructed by Signor Mussolini to speak to me on the subject of Abyssinia. Signor Mussolini was a good deal disturbed by the attitude adopted by Ras Taffari towards the Anglo-Italian exchange of notes and by the excitement produced by certain press articles. He added that it would appear also that the German Minister had intervened and that the French Minister, who had perhaps not perfectly understood the wishes of his Government, had also contributed to alarm the Abyssinian mind. Signor Mussolini desired the Ambassador to enquire whether in these circumstances I would instruct Mr. Maclean to concert with Count Colli with a view to reassuring Ras Taffari as to the innocence of our intentions and of the absence of any wish on our part to impinge upon the independence and integrity of Abyssinia.

I replied that I had found Mr. Bentinck, who had just returned on leave, less disturbed than Count Colli would appear to have been. The Ambassador might have noticed the explanations which I gave in the House of Commons the other day and which themselves were of the reassuring character of which he spoke. I had some reason to think that there might be a parliamentary discussion on the same subject next week in which I should amplify and emphasise these assurances. I was inclined, therefore, to take no further step at the moment, for no doubt Mr. Maclean would bring what I had said to the knowledge of Ras Taffari and make any suitable comment upon it. For the moment I thought that what was required was a little time for the first excitement to calm down; one or two of the phrases which we had used in the notes were perhaps not very well chosen, and without explanation had given some cause for the suspicions which they had excited, but I hoped that, if time were given for the first excitement to die down, we should not meet with any great difficulty. I would in any case watch the situation and send further instructions if they were needed. At the special request of the Ambassador I undertook at once to telegraph to Mr. Maclean instructions to keep in close touch with Count Colli, though I was certain that he would in any case have done this, and, if he thought any further explanations necessary, to concert with Count Colli about them.

The Ambassador then asked if I had formed any opinion upon the proposals in regard to Tangier which Signor Mussolini had made to me. I replied that, at first sight, it seemed to me that Italy had opened her mouth rather wide, but that, before forming any definite opinion, I was desirous of having Mr. Clive's observations on them. In the meantime I had merely informed the French and Spanish

Governments that I had received the proposals, but that, before expressing any opinion, I required further information. The Ambassador expressed the hope that they would at any rate form a suitable basis for conversations, and to this I assented. He then observed that many rumours were afloat in consequence of the King of Spain's visit, and enquired whether it was always part of British policy that Tangier should remain international. I replied in the affirmative.

The Ambassador then enquired about Albania. He knew that there had been some trouble, but confessed himself uninformed as to what it was about. I replied that I had received a rather alarming account of language imputed to the Italian Minister, but I had never believed, even if it were possible that such language had been used by him, that it expressed the policy of Signor Mussolini. I had, however, asked your Excellency to draw Signor Mussolini's attention to it, and the explanations which Signor Mussolini had at once given had entirely satisfied me.

A few pleasant observations on the nature of the relations between our Governments during the last two years and on the interest which we had in acting together brought our conversation to a close.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 6582/223/98] No. 41.

Sir Austen Chamberlain to Sir R. Graham (Rome).

(No. 999.)
Sir, *Foreign Office, July 16, 1926.*

AFTER my conversation with the Italian Ambassador about the Bulgarian Refugee Loan, to which reference is made in my telegram No. 194 of to-day's date, he asked me whether I had anything further to say to him on the subject of Tangier, and in particular whether I had yet received Mr. Clive's observations. I told him that these had not yet reached me and, as they were evidently necessary to enable me to reach a decision, I had not as yet studied the Italian proposals. I had informed both the Spanish and French Governments that these communications were in progress, but that I was awaiting further information before forming an opinion, and had reserved my liberty to make any observations I might wish to the Italian Government before saying anything further to France and Spain.

The Marquis della Torretta enquired whether the King of Spain had made any proposals for a change in the statute, and said that the Spanish Ambassador had mentioned to him the idea of a mandate. I replied that Spain had, of course, always desired that Tangier should be within the Spanish Protectorate, but in the opinion of His Majesty's Government it was essential that it should remain internationalised, and that no Power, whether ourselves or another, should be in a position to create there a *place d'armes*. Provided this condition were met, the exact form which the administration took was a matter of minor consequence to us, and any practical suggestions could be considered on their merits.

I added that I had derived from my conversations with King Alfonso the impression that he was anxious to find some satisfaction which could be offered to Spanish public opinion and would enable the Spanish Government to withdraw from the uncompromising position it had taken up in relation to its claim to a permanent seat on the Council of the League of Nations. It would obviously be a serious blow to the League if Spain withdrew from co-operation, a much more serious blow, indeed, than the total withdrawal from the League of Brazil, for it would make a gap in Europe, where, after all, Spain was the greatest of what I might call the neutral Powers. On my side, therefore, I was equally anxious to find some satisfaction that we could agree to offer to Spain, and as my last word to King Alfonso on taking leave of him at the station I had begged him to invite the Marquis d'Estella to lay before the rest of us any practical suggestions which he might have with this end in view. There for the moment the matter rested.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 6670/76/28] No. 42.

Mr. Clive to Sir Austen Chamberlain.—(*Received July* 21.)

(No. 158.)
Sir *Tangier, July* 13, 1926.

I HAVE the honour to acknowledge receipt of your despatch No. 209 of the 8th July, enclosing copy of a confidential memorandum which was handed to His Majesty's Ambassador in Rome by Signor Mussolini, and in which are set forth the Italian desiderata in regard to Tangier.

2. I have the honour, in accordance with your instructions, to submit the following observations:—

3. The Italian memorandum has a twofold aspect, in that it raises what may be called a question of principle and submits for consideration various points of detail.

4. I propose to deal with the latter first.

5. Regarding points 1, 2, 5, 7 and 9, I have nothing to add to the observations contained in your despatch, in which I concur.

6. Point 3: *Italian Vice-President of the Assembly.*—This, as is pointed out in paragraph 2 of your despatch, is a reduction in the demand originally made for a vice-president, an additional member of the Assembly, and an assistant administrator, of Italian nationality. None the less, as it is a contentious point, which involves an alteration in the statute, there are obvious objections. The life of the present Assembly is for a period of four years, as laid down in article 22 of the organic dahir, and I should prefer, in replying to the Italian request, to suggest that this demand would be taken into consideration at the end of that period rather than to consider it now. An opportunity will be given during the intervening period to see to what extent the Italian members of the Assembly contribute to the usefulness of that body and what practical interest they show in the administration of Tangier.

7. Point 4: *Italian Judge on Mixed Tribunal.*—While I entirely agree as to acceding to the Italian demand for a judge on the Mixed Tribunal, I understand it is by no means impossible that before long an additional judge will be required to cope with the work. I should prefer, therefore, that the Italian demand should be accepted either without reference to the British judge, or as only to take effect from the date of the next vacancy among the British judges after the present vacancy has been filled up. It must be presumed that the present negotiations will last some months. I have been asked by the Mixed Court to point out the urgent necessity of filling up without delay the present vacancy, and I consider it essential to do so.

8. Point 6: *Submission to Italian Government of Codes and Regulations.*—I would respectfully point out that there appears to be some confusion in your observations on this point regarding the use of the word "codes." I entirely agree with your observations in regard to the regulations (meaning "les textes réglementaires et fiscaux" enumerated in article 33 of the convention). I take it, however, that the Italian memorandum refers to the regulations as defined above on the one hand, and to the judicial codes on the other. The statutory position as regards both of these is laid down in article 32 of the convention and article 28 of the organic dahir. At the same time, I understand from Judge Barne and other judges of the Mixed Court that it would be in the general interest to modify certain articles of the codes and also of the judicial dahir. It might, therefore, be pointed out to the Italian Government that the future Italian judge on the Mixed Court will have an opportunity at the proper time of giving expression to his views in regard to such modifications as may be suggested.

9. Point 9: *Participation of Italian Capital and Labour in the Tangier Port Company.*—I agree with your observations on this point, except that, while it is true that the Italian colony consists mainly of Italian workmen, the actual manual labour at the port is at present entirely carried out by natives with European foremen, of whom I understand there is at present one Italian. The question is, however, purely economic, and I have little doubt that, if Italian labour were prepared to work for native wages, many Italians would be employed. In any case, there is not the smallest question of discrimination, or of unfair preference, say, for Spanish as against Italian labour.

10. Regarding what I have called the question of principle, I have the honour to submit the following observations:—

11. The Italian memorandum says: "The Italian Government would consequently be prepared to accede to the Paris Convention of the 18th December, 1923,

as it now stands on condition that the three signatory Governments first of all recognise explicitly that her quality of an essentially Mediterranean Great Power confers upon Italy the right to special consideration as regards the organisation of the Tangier zone of Morocco from the international point of view no less than as regards the administration of the zone."

Sir Ronald Graham, in his covering despatch, remarks: "I should say that the most important point in their eyes is enhanced prestige by the recognition in some form or other of Italy's special position as a great Mediterranean Power in relation with the Tangier question."

12. My Italian colleague told me a few evenings ago, when I met him at dinner, that he had received a copy of the Italian memorandum; that the question of detail was really nothing and could, he had no doubt, be easily arranged; the only thing that mattered from the Italian point of view was the question of principle, namely, that Italy should be admitted, in regard to Tangier, to be on the same footing as the three signatory Powers. To this end he had proposed to his Government that an additional protocol should be signed between the three signatory Powers and Italy. I said that it seemed to me extremely difficult to draft such a protocol in a form that would be acceptable, on the one hand to France—to take only one of the three Powers in question—and, on the other, to the three Powers who had unconditionally adhered to the statute. He admitted it was difficult, but he hoped not impossible.

13. At the same time, I am convinced, if I may judge from my talks with Count Vannutelli, that Italy is now anxious to adhere to the Tangier Convention. She wants to make herself felt both in the Committee of Control and in the Assembly. Her behaviour has been perfectly correct—I might almost say friendly—towards the Administration in matters of taxation and other local affairs arising out of the statute. But it must be remembered that she holds a winning hand. Her attitude may change, and in the long run the statute cannot really be made to work if one Power with a colony reckoned to-day at 500, but with a tendency to increase, refuses to adhere.

If, therefore, by an exchange of notes, on in some other way, a form of words acceptable to the French Government could be found to satisfy Italian *amour-propre*, in order to obtain her adhesion, I do not believe that a settlement of the nine points of detail would present any difficulty.

I have, &c.
R. H. CLIVE.

[W 6816/76/28] No. 43.

Admiralty to Foreign Office.—(*Received July* 24.)

(Confidential.)
Sir, *Admiralty, July* 23, 1926.

WITH reference to your letter of the 9th instant, forwarding a copy of a despatch from His Majesty's Ambassador at Rome regarding the question of the accession of Italy to the Tangier Convention, I am commanded by my Lords Commissioners of the Admiralty to request that you will inform the Secretary of State for Foreign Affairs that they see no objection to the proposed Italian participation in the naval surveillance of Tangier waters, provided for in article 4 of the convention.

I am, &c.
ALEX. FLINT.

[W 6950/76/28] No. 44.

The Marquess of Crewe to Sir Austen Chamberlain.—(*Received July* 29.)

(No. 1405.)
Sir, *Paris, July* 28, 1926.

I HAVE the honour to inform you that the Sous-Directeur d'Afrique at the Ministry for Foreign Affairs informed a member of my staff this morning that the Italian Ambassador had spoken to him on the 26th July with regard to Italian desiderata at Tangier.

2. The Italian Ambassador had begun the conversation by basing the Italian claim to certain concessions at Tangier on his Government's interpretation of the Franco-Italian agreements of 1902 and 1912. In the discussion his Excellency had proposed to use the Italian memorandum presented to the Ministry for Foreign Affairs on the 21st January, 1926. A copy of this memorandum was communicated to the member of my staff and is enclosed herewith. You will note that it is largely identical with that contained in Sir R. Graham's despatch No. 515 of the 23rd June.

3. M. Ponsot had informed the Italian Ambassador that the French Government did not admit the foundation in law of the Italian claim. By the Franco-Italian Agreement of 1900, confirmed in 1902, Italy had completely disinterested herself in Morocco at a time when Tangier did not exist as a separate entity. It was only in 1904 that Tangier acquired a special status, which was confirmed in 1912. In that year a further exchange of notes between Italy and France confirmed the agreement of 1900.

4. To this argument the Italian Ambassador had replied that, whatever might be the foundation in law of the Italian claim, Italy considered that, in view of her special position in the Mediterranean and of the small compensation that she had obtained in the peace treaties for her abandonment of the German alliance, she was now entitled to special consideration at Tangier, as in certain other spheres. At the moment, his Excellency did not wish to enter into further detail. He had, however, given M. Ponsot to understand that the attitude of His Majesty's Government, as defined in the memorandum enclosed in Mr. MacDonald's despatch to me, No. 2576 of 13th August, 1924, had been modified, and that we were now ready to make certain concessions to Italian aspirations at Tangier. His Excellency had added that it was only necessary that France and Spain should also make certain concessions in order that the Italian desiderata might receive full satisfaction.

5. The Italian Ambassador had stated also that the present moment seemed to him to be, from the French point of view, a particularly favourable one for concessions to Italy. For their grant might afford an additional obstacle to Spanish designs on Tangier.

6. After this *exposé* of his conversation with the Italian Ambassador, M. Ponsot, stated emphatically that the French Government was of opinion that in this matter there must be no separate conversations with Italy. Yet he understood from the newspapers that British-Italian conversations were actually in progress in Rome. The member of my staff replied that these conversations had been initiated as the result of a suggestion made by M. Ponsot himself (see my despatch No. 631 of the 9th April), and that their purpose had only been to assist the French Government in its negotiations with Italy on this question. M. Ponsot's attention was also drawn to the memorandum addressed to the Ministry for Foreign Affairs on the 14th July (see my despatch No. 1320 of the 14th July) respecting the recent Italian communication to His Majesty's Ambassador at Rome regarding the Tangier question. At the moment, as had been explained to the French Government, His Majesty's Government were only awaiting certain additional information to communicate further with the French Government in the matter. M. Ponsot expressed satisfaction at these explanations.

7. He then examined point by point the Italian memorandum of the 21st June. He said that, in general, France was opposed to any concession to Italy at Tangier in any matter affecting the sovereignty over Tangier as defined by the statute. France was, on the other hand, ready to give every satisfaction on points of detail. Point (1) in the Italian note (supervision of the territorial waters) was, as he had already stated, a matter primarily affecting Great Britain. None the less, it was a matter in which the French Government was closely interested in view of the close reaction of the situation at Tangier upon the general security of France in Morocco. The maintenance of order in Morocco was a costly business, and for this reason France would almost certainly be opposed to the addition of a fourth Power to those responsible for the control of contraband in the territorial waters. The second point in the Italian note was a question of prestige, and affected the sovereignty over Tangier as defined by the statute. It was, therefore, one in which it would be difficult to make concessions. What was meant by point (3) was not clear. A judgeship might be conceded to Italy, but "an assistant administrator of Italian nationality specially charged with judicial affairs" was a different matter. It was, in any case, not clear what was meant. Point (4) was without importance. Point (5) was much too general a request. If the exact points were known on which Italy required concessions, it would be a different matter. Point (6) merely showed how

little the Italians knew about the working of the Tangier customs. Point (7) was one which really did not concern the Governments. Nevertheless, France would be ready to make every possible concession in regard thereto.

8. M. Ponsot then returned to the general aspect of the question, and spoke of the obscurity of the ultimate colonial designs of Italy in Tangier just as in Abyssinia. What Italy asked now, so far, at least, as it affected the municipal status of Tangier, might seem to be quite unimportant. It was what might happen in nine or ten years if Italy acquired a foothold in Tangier, which was the danger. In any case, and if possible before M. Ponsot saw the Italian Ambassador again on Saturday next, the 31st July, before the latter's departure on leave, the Ministry for Foreign Affairs would very much appreciate some expression of the British point of view. It was not possible, M. Ponsot reiterated, for the Powers signatory of the Tangier Statute to undertake this negotiation separately. So far as the Ministry for Foreign Affairs was concerned, every conversation which its members held with the Italians on this subject would be fully reported to His Majesty's Government. M. Ponsot concluded that he was, in any case, extremely uncertain as to the outcome of these negotiations. For in no sphere did Italy seem to be prepared to make counter-concessions to France. In Abyssinia she asked that France should treat her aims in a friendly manner. In Tunisia, in the course of his recent conversations with M. Ponsot, the Italian Ambassador had said that he was not ready to go into details, but had asked that the nationality agreements be put on a more permanent and less uncertain footing. In Tangier also concessions were being asked.

9. As regards the ultimate nature of the Italian intentions, M. Ponsot stated that he had also notified the Spanish Embassy of the substance of his recent conversation with the Italian Ambassador. There he had derived the impression that whilst two years ago the Spanish Government was prepared to give way to Italian desiderata, at the moment it did not regard the question from the same point of view. Perhaps its own designs on Tangier did not make it anxious to welcome any form of Italian participation in the administration of the statute.

10. Throughout the conversation, which he had done nothing to initiate, the member of my staff was most careful to point out to M. Ponsot that he was merely listening to what was said to him. He was without instructions on the matter, and naturally did not intend to express any opinion whatever, whether favourable or the reverse, on any of M. Ponsot's statements. M. Ponsot said that he understood this.

11. I suppose that it would be impossible for you to give me any detailed instructions on this question in the near future. But, as M. Ponsot will probably make further enquiries as to our attitude before the end of the week, it might be well that you should at least confirm the statement made to him to-day that the recent conversations in Rome implied no intention on the part of His Majesty's Government to initiate a separate negotiation with Italy on this question. The French Government, since the Abyssinian Agreement, is probably very sensitive on this point.

I have, &c.
CREWE.

Enclosure in No. 44.

Mémorandum remis le 21 *Janvier* 1926 *par l'Ambassade d'Italie au Département des Affaires étrangères.*

LE Gouvernement italien, dans la certitude que le Gouvernement de la République reconnaît à l'Italie sa qualité de grande Puissance essentiellement méditerranéenne, et par là son titre à une considération toute spéciale aussi bien au point de vue international de la systémation de la zone de Tanger qu'en ce qui touche à l'administration de ladite zone;

Qu'il ne saurait, en outre, ne pas lui être reconnu aussi le titre que lui confère sa contribution à la victoire commune des Alliés, laquelle a rendu possible l'arrangement actuel;

Prend acte de l'acceptation de la part du Gouvernement de la République en ce qui concerne le fonctionnement du consulat général italien de Tanger géré par un agent diplomatique, et la présence à Tanger d'un officier italien à titre d'observa-

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teur, et rappelle au Gouvernement de la République les autres demandes ci-dessous libellées dont il attend l'accueil favorable :

1. (Article 4 du Statut.) La surveillance sur la contrebande des armes et munitions dans les eaux territoriales de la zone de Tanger pourra être exercée aussi par les forces navales italiennes en coopération avec les forces françaises, britanniques et espagnoles.

2. (Article 34.) L'Assemblée législative sera invitée à élire parmi ses membres aussi un vice-président de nationalité italienne chargé comme les vice-présidents britannique et espagnol d'assister le Mendoub dans la présidence de l'Assemblée et de le remplacer en cas d'absence ou de maladie.

3. (Articles 35 et 48.) Le Gouvernement français voudra bien intervenir auprès de Sa Majesté chérifienne pour qu'elle nomme, sur la demande du Comité de Contrôle et sur présentation de la part du consulat italien, un administrateur-adjoint de nationalité italienne spécialement chargé des affaires judiciaires.

Cet administrateur-adjoint italien aurait la faculté de demander qu'un juge italien soit agréé au tribunal mixte de Tanger pour le jugement des procès dans lesquels serait partie un sujet italien.

4. Le Gouvernement français voudra bien intervenir aussi auprès de Sa Majesté le Chérif pour qu'une des trois places de secrétaire chancelier prévues à l'article 14 du projet de dahir pour l'administration de la justice soit destinée à un sujet italien.

5. (Article 32.) Les codes et les textes de règlement élaborés par les commissions de techniciens français, britanniques et espagnols seront soumis à l'acceptation du Gouvernement italien avant leur entrée en application.

6. (Article 50.) Les tarifs des valeurs douanières fixés par la commission des représentants des trois zones seraient soumis à l'acceptation de l'administrateur-adjoint italien si un sujet italien ne se trouvait faire partie de la commission commune représentant la zone de Tanger.

7. Une équitable participation proportionnelle sera établie pour le capital et le travail italien en ce qui concerne la construction du port de Tanger et son exercice.

[W 6950/76/28] No. 45.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 203.) [By Bag.]
(Telegraphic.) *Foreign Office, August 3, 1926.*

YOUR despatch No. 1405 of 28th July: Accession of Italy to Tangier Convention.

Please express my surprise at M. Ponsot's suggestion that His Majesty's Government are initiating separate negotiations with Italy and confirm the rejoinder very properly made by the member of your staff. We only approached the Italian Government at the direct request of the Quai d'Orsay, and we are keeping, and shall continue to keep, the French and Spanish Governments fully informed of anything which may pass.

I am sending you in a separate despatch a memorandum for communication to the French Government, setting forth in detail our views on the Italian conditions of accession.

[W 6670/76/28] No. 46.

Sir Austen Chamberlain to the Marquess of Crewe (Paris), No. 2203, and Mr. Gurney (Madrid), No. 350, mutatis mutandis.

Foreign Office, August 3, 1926.

My Lord Marquess,

WITH reference to my despatch No. 1946 of the 5th ultimo, I transmit herewith a copy of a despatch from His Majesty's consul-general at Tangier* on the subject of the concessions demanded by the Italian Governmeut as a condition of their accession to the Tangier Convention.

* No. 42.

2. I agree generally with Mr. Clive's observations, and I have embodied them in the enclosed memorandum which I request that your Lordship will communicate at an early date to the French Government.

3. I am addressing a similar despatch to His Majesty's Chargé d'Affaires at Madrid.

I am, &c.
AUSTEN CHAMBERLAIN.

Enclosure in No. 46.

Memorandum for communication to French (Spanish) Government.

THE Italian Government have indicated verbally, through His Majesty's Ambassador at Rome, that they would be prepared to accede to the Tangier Convention on condition that the signatory Governments first of all recognise explicitly that her position as an essentially Mediterranean Great Power confers upon Italy the right to special consideration as regards the organisation of the Tangier zone from the international point of view no less than as regards the administration of the zone. As a natural corollary of such recognition the Italian Government request that they may be given the following assurances :—

(1.) That an Italian officer may be appointed to Tangier with the duty of informing the Royal Government on the observation of the obligations of a military character contained in article 3 of the convention relative to the neutrality régime of the Tangier zone.

(2.) That the surveillance of the contraband traffic in arms and munitions of war in the territorial waters of the Tangier zone may be exercised by Italian as well as by British, Spanish and French naval forces.

(3.) That, in consideration of the number and importance of the Italian colony at Tangier, which is in course of continual growth and development, the International Legislative Assembly be invited to elect from its members a vice-president of Italian nationality, authorised, like the British and Spanish vice-presidents, to assist the Mendoub in the presidency of the Assembly, and to act for him in the case of absence or inability.

(4.) That a permanent post for an Italian judge of the Mixed Tribunal at Tangier should be established.

(5.) That one of the three posts of secretary-registrar ("segretario cancelliere") contemplated in article 14 of the dahir for the administration of justice should be assigned to an Italian citizen.

(6.) That the codes and texts dealing with regulations and financial questions drawn up by the British, Spanish and French Technical Commissions be submitted to the examination of the Italian Government. Should the Italian Government feel obliged to propose any modification in the texts already approved by the three Governments, such proposals should be studied and taken into consideration with a view to a revision of such texts, which might be effected at the expiration of the first period of three years from the entry into operation of the statute.

(7.) That by means of suitable arrangements to be studied in agreement with the Italian Government, means should be found to make possible the protection of Italian interests in the fixing of customs valuations.

The Italian Government would not be unwilling, for example, to suggest a formula by which the proposals of the Customs Commission on the subject of tariffs should be submitted to the Committee of Control, whose consent would be indispensable for the application of such proposals.

The decisions of the Committee of Control should be taken by a majority vote, so that the Italian consul, as a member of the committee, would be able to discuss and take decisions on the subject for the protection Italian interests.

(8.) That the Italian Government may appoint as their representative in the Tangier zone an official of the regular diplomatic service in the capacity of consul-general.

(9.) That a fair and proportionate participation of Italian capital and labour in the company to which the construction of the port of Tangier has been entrusted, and in the company which operates that port may be assured in the most suitable way.

2. It will be convenient to deal in the first instance with the specific demands put forward and afterwards with the question of principle raised by the Italian claim to the recognition of their special position. It may be observed that the Italian conditions of accession are approximately the same as those advanced in 1924, except that they have been reduced in three particulars, viz. :—

(a.) In 1924 the Italian Government asked for "some Italian magistrates"; now they ask for only one;

(b.) They now ask for only one vice-president of the Assembly, instead of a vice-president, a third member of the Assembly and an assistant administrator on the executive staff;

(c.) They no longer insist on maintaining a diplomatic agency, but will be content with a consul-general chosen from the diplomatic staff.

Taking the various points seriatim, the views of His Majesty's Government are as follows :—

(1.) *Appointment of an Italian Officer to Italian Mission at Tangier.*

The duties of the officer under article 3 of the Tangier Convention are purely formal, and His Majesty's Government have no objection.

(2.) *Italian Navy to participate in the surveillance of Arms Traffic.*

His Majesty's Government have no objection.

(3.) *Italian Vice-President of the Assembly.*

This demand has certain obvious practical objections. The life of the present Assembly is for a period of four years, as laid down in article 22 of the Organic Dahir, and it would be preferable that the question should be taken into consideration at the end of that period rather than now. The point is, however, not a capital one, and if the Italian Government attach importance to the appointment of an Italian vice-president, His Majesty's Government would be prepared to waive their objection.

(4.) *Italian Judge on Mixed Tribunal.*

His Majesty's Government have no objection. They are informed that before long an additional judge may be required to cope with the work of the Mixed Tribunal, and that in any event the appointment of a second judge is a matter of some urgency. They would therefore prefer that the Italian demand should be accepted, either on the understanding that the Italian judge shall be additional to the existing members of the Mixed Tribunal, or that the appointment shall only take effect from the date of the next vacancy amongst the British judges after the present vacancy has been filled up.

(5.) *Italian Secretary-Registrar of the Mixed Tribunal.*

His Majesty's Government have no objection. The secretary-registrars of the Mixed Tribunal are subordinate officials of little importance, and there should be no difficulty in allotting one of these posts to an Italian, if a suitable candidate is presented.

(6.) *Submission to Italian Government of Codes and Regulations.*

This presents difficulties as regards the regulations. Under article 33 of the Tangier Convention, the Assembly may abrogate or modify the regulations with the assent of the Committee of Control after the convention has been in force for two years. The regulations have now been in force for a year, and the local population is becoming accustomed to them. If, at the desire of the Italian Government, any substantial modification were to be made, the Assembly might feel justifiably aggrieved. It could be pointed out to the Italian Government that the regulations will be open to amendment in a short time, and that the Italian members of the Assembly will be able to propose any amendments they like, since it is not for any of the signatory Governments to propose amendments but for the Tangier Assembly; and that while the regulations should remain unaltered at present, there is every cause to think that any reasonable

amendments which the Italian Government may have in view will be carried into effect on the expiry of this period.

As regards the codes, His Majesty's Government are informed that the judges on the Mixed Tribunal are of opinion that it would be in the general interest to introduce certain modifications. It might therefore be pointed out to the Italian Government that their best course will be to allow the future Italian judge to have some practical experience of the working of the court and subsequently to concert with his colleagues in putting forward suggestions for such modifications as may be found desirable.

(7.) *Protection of Italian Interests in Customs Valuation.*

This demand appears to have been made under a misapprehension. The Customs Commission will consist of representatives of the three zones in Morocco and not of representatives of the three contracting Powers. It is difficult to understand why a representative of the Italian Government should be included in the commission any more than a representative of the French or Spanish Governments. The Italian Government will doubtless withdraw this demand if the facts are explained.

(8.) *Appointment of a Member of the Diplomatic Service as Italian Consul-General at Tangier.*

This is the practice of His Majesty's Government and they have no objection to offer.

(9.) *Participation of Italian Capital and Labour in Tangier Port Company.*

There should be no trouble in arranging for Italian participation in the capital of the company, since there was some difficulty in raising it. As regards labour, the Italian Government seem to be under a misapprehension. None of the three contracting Powers has demanded that any part of the port works shall be entrusted to their nationals and the contract for the various works is to be put to public tender. The company is a private one and it would be difficult for the signatory Governments to lay down that the company *must* employ Italian labour. It would be possible, if desired, to give an assurance that there will be no discrimination against Italian labour in favour of French, Spanish or British labour. In point of fact, according to the latest information from Tangier, 20 per cent. of the European employees of the Port Company are Italians.

3. As regards the request of the Italian Government that their special position should be explicitly recognised, His Majesty's Government feel that the grant of any of the concessions enumerated above constitutes in itself an explicit recognition of the fact that Italy is not in the same position as the other signatories of the Act of Algeciras who acceded to the Tangier Convention. Nevertheless, if the Italian Government insist on a more formal act of recognition and an appropriate formula can be found, His Majesty's Government are prepared to agree, particularly since it may otherwise be difficult to explain the concessions offered to Italy and to secure the assent of Holland, Belgium, Sweden and Portugal.

4. His Majesty's Government feel that the necessity of securing the accession of Italy at an early date and the conciliatory attitude of the Italian Government are both reasons why the signatory Governments should endeavour to meet the wishes of the Italian Government, and they earnestly trust that the French (Spanish) Government will give them the most sympathetic consideration.

[W 6670/76/28]

No. 47.

Sir Austen Chamberlain to Sir R. Graham (Rome).

(No. 1075.)

Foreign Office, August 3, 1926.

Sir,

WITH reference to your despatch No. 515 of the 23rd ultimo, I transmit herewith a copy of a despatch to His Majesty's Ambassador at Paris and His Majesty's Chargé d'Affaires at Madrid* on the subject of the concessions asked by the Italian Government as a condition of their accession to the Tangier Convention.

2. As it is unlikely that a reply from the French and Spanish Governments will be forthcoming for some time, I think it would be only courteous to give M. Mussolini

* No. 46.

some indication of my views. I request that your Excellency will take an opportunity of saying to him that I see no objection in principle to the conditions put forward by Italy, and that I am recommending the French and Spanish Governments to give the most sympathetic consideration to the communication from the Italian Government.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 7206/76/28] No. 48.

The Marquess of Crewe to Sir Austen Chamberlain.—(*Received August* 6.)

(No. 1467. Confidential.)

Sir, *Paris, August* 5, 1926.

WITH reference to my telegram No. 317, Confidential, of yesterday, I have the honour to transmit to you herewith copy of a memorandum setting forth the views of the French Government in regard to the concessions which the Italian Government desire as a condition of their accession to the Tangier Convention. This memorandum was handed by M. Ponsot to Mr. Phipps yesterday evening in M. Berthelot's presence. M. Ponsot begged that it might be treated as highly confidential; it represented, however, the maximum length to which the French were prepared to go in regard to meeting the Italian demands. You will notice that the memorandum discusses the subject in much greater detail than, but on more or less the same lines as, that enclosed in my despatch No. 1405 of the 28th ultimo.

2. M. Ponsot said that he was quite ready to enter upon a detailed discussion with Mr. Phipps of the various points dealt with in the memorandum whenever that might be considered desirable. I shall be grateful therefore if you will be so good as to favour me with your views on the subject, in order that they may be communicated to M. Ponsot and, if necessary, to M. Berthelot.

I have, &c.
(For the Ambassador),
ERIC PHIPPS.

Enclosure in No. 48.

Mémorandum définissant la Position des Gouvernements signataires de la Convention de Paris du 18 *Décembre* 1923, *en ce qui touche l'Adhésion de l'Italie au Statut de Tanger, à la date du* 1er *Août* 1926.

LE Gouvernement italien a marqué le désir de reprendre l'examen de cette question en vue d'aboutir à un règlement: il a entamé à cet égard des pourparlers préliminaires tant avec le Gouvernement britannique qu'avec le Gouvernement français, en se référant à ses communications antérieures de 1924, et tout en tenant pour acquises les concessions offertes par les trois Gouvernements en 1925 en ce qui concerne le fonctionnement éventuel du consulat général d'Italie à Tanger.

Des dix points primitifs dont le règlement était demandé par le Gouvernement italien, il en reste donc aujourd'hui sept à examiner, tels qu'ils sont définis dans le mémorandum annexe auquel s'est à nouveau référé l'Ambassadeur d'Italie à Paris dans son entretien du 26 juillet 1926. Mais le préambule de ce document, destiné à justifier toutes ces demandes, appelle tout d'abord d'expresses réserves.

Préambule.

Le Gouvernement italien demande avant tout qu'on reconnaisse à l'Italie "sa qualité de grande Puissance essentiellement méditerranéenne et par là son titre à une situation spéciale à Tanger."

Ceci n'est pas possible, car ce serait précisément rouvrir un aspect de la question du Maroc au point de vue international. L'Italie a pu ainsi formuler ses demandes au moment où le problème du Riff paraissait devoir, à brève échéance, remettre en question toute l'affaire marocaine, mais tel n'est plus le cas et le Gouvernement français a été très attentif dans ses négociations avec l'Espagne de ne rien dire et de ne rien faire

qui, de la manière la plus éloignée, pût permettre de penser qu'il y avait une possibilité de reviser la situation internationale du Maroc, soit en ce qui concerne la définition des deux zones française et espagnole, soit en ce qui concerne l'avenir de la zone de Tanger.

L'Italie est la première Puissance à laquelle la France a acheté son désintéressement au Maroc. En 1900, comme en 1902, le Maroc, loin d'être divisé en trois zones, était intact et la question de Tanger n'était pas posée. Le désintéressement de l'Italie a été absolu et définitif. De tels accords ne comportent pas la clause de la nation la plus favorisée et si deux autres Puissances ont, par la suite, mis certaines conditions à la reconnaissance de la situation spéciale de la France: l'Espagne et l'Angleterre en 1904, elles seules peuvent invoquer les réserves qu'elles ont formulées à ce moment.

Or, c'est dans les conventions franco-espagnoles du 3 octobre 1904 que l'on trouve pour la première fois une réserve au sujet de Tanger en ces termes: "La ville de Tanger gardera le caractère spécial que lui donnent la présence du Corps diplomatique et ses institutions municipales et sanitaires."

En abandonnant en 1900 toute visée politique sur le Maroc pour obtenir les mains libres en Libye, l'Italie renonçait effectivement à une situation d'influence réelle au Maroc: la manufacture d'armes de Fez était dirigée par des ingénieurs italiens et la Maison Ansaldo de Gênes avait construit pour le Maroc un très beau croiseur, dont la présence continuelle en rade de Tanger constituait tout un programme d'avenir.

Après 1900 le croiseur fut vendu, les agents italiens se retirèrent et la porte fut libre pour l'influence allemande, d'où de nouvelles négociations pour obtenir le désintéressement de l'Allemagne. Le Gouvernement français ne peut évidemment pas tenir pour nuls les engagements successifs à la faveur desquels il a pu établir son contrôle sur le Maroc. Au prix payé à l'origine pour avoir les mains libres il faut ajouter, pour bien comprendre la situation, le prix énorme qui a dû être payé pour assurer sa pacification soit en hommes soit en argent.

Pour ce qui touche aux autres demandes de l'Italie, avant d'entrer dans l'examen de chacune d'elles, il y a lieu de formuler une observation générale

Celles de ces demandes qui impliquent au bénéfice de l'Italie une participation à la souveraineté marocaine ne sauraient être acceptées. C'est pour cette raison que l'Italie ne saurait participer ni à la surveillance maritime ni à la surveillance terrestre de Tanger.

Celles de ces demandes qui restent dans le cadre des "institutions municipales et sanitaires" peuvent, au contraire, être examinées avec bienveillance.

Quant aux demandes touchant aux questions économiques, il y a lieu de ne point oublier qu'elles ont été réglées conformément aux dispositions de l'Acte d'Algésiras et non pas au bénéfice particulier de la France et de l'Espagne comme en ce qui concerne la concession du port de Tanger.

Reprenons cet examen:

1. *Demande sur l'Article* 4 *du Statut.*

L'Italie demande que les forces navales italiennes soient associées à la surveillance de la contrebande des armes et munitions dans les eaux territoriales de Tanger.

Cette demande implique un partage de souveraineté dans les eaux territoriales d'une partie du Maroc: elle n'est donc point recevable, comme il a été exposé ci-dessus. On peut ajouter objectivement que, la contrebande des armes ne pouvant s'exercer qu'au seul détriment de la zone espagnole et de la zone française, l'Italie n'est nullement intéressée à l'exercice de cette surveillance, car cette contrebande ne peut en rien affecter ses intérêts.

2. *Demande sur l'Article* 34 *du Statut.*

L'Assemblée législative nomme, parmi ses membres, trois vice-présidents: un citoyen français, un sujet britannique, un sujet espagnol, chargés d'assister le Mendoub dans la présidence de l'Assemblée et de le suppléer en cas d'absence et d'empêchement.

L'Italie demande la nomination d'un vice-président italien. Ceci pourrait être concédé, car il s'agit bien d'une question de l'ordre municipal. Compte serait ainsi tenu de l'importance de la colonie italienne, mais on ne saurait sous-estimer l'importance d'une telle concession au point de vue du prestige italien à Tanger et cette offre ne saurait être maintenue si elle ne devait pas emporter, avec les concessions déjà faites et celle relative à l'exercice de la justice, l'adhésion du Gouvernement italien.

3 *Demande sur les Articles* 35 *et* 48.

Aux termes de l'article 35 et pour une première période de six ans, l'administrateur de la zone est de nationalité française, l'administrateur-adjoint, chargé des services d'hygiène et d'assistance, est de nationalité espagnole, l'administrateur-adjoint, chargé des services financiers, est de nationalité britannique.

Le Gouvernement italien demande la désignation d'un administrateur-adjoint, de nationalité italienne, qui serait chargé spécialement des affaires judiciaires.

Cette demande n'est pas recevable. Les affaires judiciaires sont entre les mains du tribunal mixte et on ne conçoit pas l'utilité d'un organisme administratif qui se superposerait à l'organisme judiciaire.

D'au.re part, il y a lieu de noter qu'aux termes du statut, après la première période de six ans, l'Assemblée législative sera appelée à nommer l'administrateur et les adjoints parmi les ressortissants des Puissances signataires de l'Acte d'Algésiras.

L'Italie n'est donc pas exclue de ce bénéfice et dans cinq ans elle pourra avoir sa chance.

Sur l'article 48, l'Italie demande qu'un juge italien soit agrégé au tribunal mixte pour le jugement des procès dans lesquels serait partie un sujet italien.

Le Gouvernement britannique, à qui deux postes de juge ont été attribués, est disposé à donner satisfaction à l'Italie en lui laissant la désignation d'un magistrat. Nous n'y avons pas d'objection, d'autant que c'est, en quelque sorte, le rachat de la suppression du régime capitulaire.

4. *Demande sur l'Article* 14 *du Dahir relatif à l'Organisation judiciaire.*

Le service du secrétariat-greffe du tribunal mixte est assuré par des agents de nationalité britannique, espagnole ou française.

Le Gouvernement italien demande que l'un des trois secrétaires-greffiers soit de nationalité italienne.

Cette demande peut être satisfaite si un juge est attribué à l'Italie.

5. *Demande sur l'Article* 32 *du Statut.*

Cet article prévoit que les codes ne peuvent être ni abrogés ni modifiés qu'après accord entre les zones française et espagnole et le Comité de Contrôle statuant à l'unanimité.

Il prévoit que les textes réglementaires et fiscaux ne peuvent être ni abrogés ni modifiés pendant une première période de deux ans.

Le Gouvernement italien rappelle sa demande tendant à ce que les textes soient soumis à son acceptation avant leur entrée en application.

Cette demande a été formulée avant la mise en vigueur du statut, le 1er juin 1925. D'autre part, le Gouvernement italien ne formule aucune demande précise de revision de ces textes. Aussi bien y a-t-il lieu de penser que le Gouvernement italien n'insistera pas sur cette condition.

6. *Demande sur l'Article* 50 *du Statut.*

Cet article prévoit la suppression de la Commission des Valeurs douanières créée par l'article 96 de l'Acte d'Algésiras ainsi que du Comité des Douanes créé par l'article 97 du même Acte.

L'article 50 du statut décide que le soin de fixer le tarif des valeurs douanières applicables dans les trois zones serait désormais confié à une commission composée de représentants des trois zones.

Le Gouvernement italien demande que ces tarifs soient soumis à l'acceptation de l'administrateur-adjoint italien si un sujet italien ne se trouvait faire partie de la commission établie appelée à représenter la zone de Tanger.

Cette concession ne peut être accordée, les représentants de la zone de Tanger étant désignés par l'Assemblée législative. Toutes les Puissances signataires de l'Acte d'Algésiras sont assurées de faire entendre leur voix, sans cependant qu'une place soit réservée au représentant de chacune d'elles dans cette commission.

S'il devait en être autrement, la représentation de la zone de Tanger devrait comporter neuf membres, alors que la Commission des Valeurs douanières qu'elle remplace ne comportait que trois membres désignés par le Corps diplomatique.

Par ailleurs, cette question a toujours été considérée à Tanger comme de très peu d'importance et l'activité de l'ancienne commission était à peu près nulle.

7e *Demande.*

Le Gouvernement italien demande qu'une équitable participation proportionnelle soit réservée au capital et au travail italiens en ce qui concerne la construction du port de Tanger et son fonctionnement.

La demande n'est pas recevable en cette forme. Aucune des trois Puissances signataires de l'Accord de Paris ne s'est réservée un avantage particulier en cette matière. La concession du port et sa mise en adjudication ont été faites en conformité avec les dispositions de l'Acte d'Algésiras relatives aux services publics et aux travaux.

La concession du port de Tanger a été donnée en juin 1921 à la Société du Port de Tanger, au sein de laquelle une participation appartient aux établissements italiens autrefois actionnaires de la Société marocaine de Travaux publics : le Credito Italiano et le Credito Mobiliare e Imobiliare, qui s'est substitué à la Banca Comerciale d'Italia. Lorsque le capital social a été augmenté, les actionnaires italiens n'ont pris qu'une partie de ce qui leur revenait. Il leur serait sans doute loisible d'augmenter encore aujourd'hui leur part dans la mesure où il existe des actions disponibles.

Quant à la construction du port, elle a fait l'objet d'une adjudication publique à Tanger en novembre 1924, avec la participation de deux représentants du Corps diplomatique. Aucun adjudicataire italien ne s'est présenté.

Il s'agit donc d'une affaire privée et s'il n'est pas impossible que la participation italienne puisse être augmentée, cette affaire devrait être directement négociée entre les participants italiens et les participants français de la Société du Port de Tanger.

Il est, d'ailleurs, très probable que la participation du travail italien sera plus large lorsque les entrepreneurs sauront que ces travailleurs sont sous la juridiction du Tribunal mixte.

En résumé, aux trois concessions déjà faites, deux autres pourraient être ajoutées : l'attribution du juge et la nomination d'un vice-président italien, mais à la condition absolue que ces nouvelles concessions entraînent l'adhésion immédiate de l'Italie. Rien ne peut mieux affermir le prestige de l'Italie que ces doubles désignations. Ses intérêts matériaux seront, d'autre part, beaucoup mieux sauvegardés à partir du moment où l'Italie aura renoncé à sa politique d'obstruction à Tanger. Cette obstruction s'est manifestée notamment par l'ouverture de nombreux tripots, qui se réclament de la protection italienne alors que les jeux sont interdits par le statut. Pour parer à cette concurrence illégitime, les Puissances adhérentes se sont réservées de les rétablir, mais il vaudrait, à tous égards, mieux que l'Italie souscrivît sans réserve à l'article 52 du statut, qui interdit les jeux de hasard dans la zone de Tanger. Mais encore une fois rien ne pourrait être concédé à l'Italie qui pût paraître reconnaître à cette Puissance une situation spéciale au Maroc.

Le 2 *août* 1926.

[**W 7428/76/28**] No. **49.**

Sir Austen Chamberlain to Sir H. Rumbold (Madrid).

(No. 366)

Sir, *Foreign Office, August* 12, 1926.

AT the close of our conversation about the Council, the Spanish Ambassador recalled the letter which he had had from Sir William Tyrrell informing him that verbal communications had passed between the Italian Government and Sir Ronald Graham on the subject of the adherence of Italy to the Tangier Convention, and that I was seeking further information in relation to them before forming an opinion upon them. He enquired whether anything further had been done since.

I was able to inform him that I had transmitted the Italian proposals to you for communication to the Spanish Government by the bag which left last Tuesday. I thought that one or two of the Italian demands were based upon a misconception

of the facts, but that with some modifications they might prove acceptable, and that at any rate they offered an acceptable basis for discussion.

The Ambassador then asked if that was all that had happened, because he said there had been some gossip to the effect that I had given assurances to Signor Mussolini.

I told him that what I had already said was all that had passed, except that I had made a parallel communication to Rome when communicating the Italian suggestions to Madrid and Paris.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 7862/76/28] No. 50.

Mr. Wingfield to Sir Austen Chamberlain.—(*Received August* 23.)

(No. 703.)
Sir, *Rome, August* 20, 1926.

AS Signor Mussolini has been away in the provinces for the last week there has been no opportunity of making to him personally the communication referred to in your despatch No. 1075 of the 3rd instant, which only reached me on the 12th; but, in view of recent developments in the Tangier question, I thought it was best not to delay longer in making known to the Italian Government that you saw no objection in principle to the conditions attached by them to their accession to the Tangier Convention, and that you were recommending the communication received from them on this subject to the most sympathetic consideration of the French and Spanish Governments. I accordingly spoke in this sense this morning to Signor Guariglia, who, besides being head of the Department dealing with Northern Africa and the Near East, is temporarily replacing Signor Arlotta as Director-General for the Affairs of Europe and the Levant.

2. I afterwards carried out the instructions contained in your telegram No. 222 of the 18th instant, and explained clearly to Signor Guariglia the policy of His Majesty's Government with regard to the Spanish desire to secure either the incorporation of the Tangier zone in the Spanish zone of Morocco or a mandate for Spain for the administration of the Tangier zone.

3. Signor Guariglia informed me that the Spanish Government had expressed their wishes on this subject to the Italian Ambassador in Madrid, who had reported that the Spanish Ambassador in Rome was being instructed to make a similar communication to Signor Mussolini. The latter had, however, only returned last night, and had not yet had time either to receive the Conde de la Viñaza or to make himself acquainted with the most recent reports on this question. The Prime Minister would doubtless, however, receive the Spanish Ambassador shortly; and I would be informed in due course of the answer given to his Excellency.

I have, &c.
CHARLES WINGFIELD.

(c.) Labour Troubles.

[W 7966/76/28] No. 51.

Mr. Clive to Sir Austen Chamberlain.—(*Received August* 25.)

(No. 193.)
Sir, *Tangier, August* 20, 1926.

WITH reference to my despatch No. 176 of the 26th July, I have the honour to inform you that another general strike, organised by the Spanish Workers' Union, took place here on the 12th August. The strike was carried out in an ordinary manner, and normal conditions were restored on the following day.

2. The causes of the movement are somewhat difficult to define as they seem to have remained obscure to most of the strikers themselves. It appears, however, that the Workers' Union was dissatisfied with the Administrator's reply to the petition presented to him on the 8th July, and wished to make another attempt to justify its existence and to win public recognition as a body of importance. The fact that a law

giving powers to the Administration to disperse public gatherings was to be promulgated on the 13th August may perhaps have influenced the choice of a date for the demonstration. In any case, the summer months in Tangier have now come to be regarded as a fitting season for strikes. The movement, moreover, was favoured by the general feeling of discontent attributable to the high cost of living, the fall in the franc, and commercial stagnation here. It had the support of certain Spaniards who may have seen in it another opportunity to embarrass the Administration in the hope of furthering Spain's pretensions to Tangier. Propaganda among the Moors to the effect that the Hassani currency might shortly be suppressed did not fail to attract some hundreds of the lower elements to the movement.

3. The pretext for the strike was, however, supplied by the draft press law which had been under examination by a special commission, and was to be brought before the Assembly at its sitting on the 12th August. This can have been no more than a pretext since the large majority of the strikers could not read and can have taken no interest in the subject, but it was well chosen for its purpose as it ensured the support of the local press, which, incited by the "Dépêche Marocaine," was unanimous in condemnation of the proposed law—a law, it may be added, which is modelled on that in force in the French protectorate, which again is based on the French Press Law of 1881. But the Tangier press, for an appreciation of which I would refer you to paragraph 47 of the report in my despatch No. 180 of the 1st August, apparently considers it should be above all law and free to libel and insult all and sundry, as in the past.

4. Early in the morning of the 12th August groups of strikers were abroad inviting to join the movement all those who had remained at work. Violence was not used, but the strike was fully successful in that shops were forced to close and business remained at a standstill until late in the day. At 10 A.M. a mass meeting, which was attended by some 3,000 people, was held on the Marshan plateau. The speakers were Señor Casillas, the secretary of the Workers' Union, four other Spaniards, including Señor Ceballos, a lawyer with ambitions to become the workmen's advocate, and a Portuguese agitator who has been living for the past year in Tangier. The speeches, which were all on the same lines, consisted in abuse of the Legislative Assembly and of the Administrator, of denunciation of the Press Law, and of lament at the poverty of the poor.

5. At 4 P.M. the same multitude collected in the market place outside the Mendoubia, where the Assembly was in session. A petition was sent in to the Mendoub, and was followed by another when no reply was returned. The Press Law appeared last on the agenda for the Assembly's meeting, and when it was brought forward it was unanimously decided to postpone its examination until the month of October. In view of certain textual difficulties which it presented, of the absence of many members of the Assembly, and of the public clamour, this decision had been reached the day before, and it was most unfortunate that the Administrator did not take steps to let it be known. Had this been done there might have been no general strike. As it was, so soon as news of the Assembly's decision reached the crowd outside they dispersed with triumphant cries and repaired to the cafés, which opened at their call even more quickly than they had closed. Finally the leaders sent an impertinent message to the Mendoub requesting a promise that he should refuse to promulgate any Press Law. This marked the end of a strike which had provided a public holiday, but which may, I fear, create in the future a dangerous precedent. It may be well that the will of the people should prevail, but not the will of an illiterate mob concerning a proposed law which they have not read and do not understand.

6. The Press Law, which was so widely discussed in the local press, was condemned on various grounds. It was generally described as an assault on the liberties of the people. It was attacked in detail by critics who were ignorant of its text. What seemed to be the most serious objection to it was the statement that it involved a modification of the Penal Code, and that it was therefore unconstitutional. In view, however, of the fact that article 262 of this code states that special legislation will be drawn up to deal with any subjects not covered by the code, and of the fact that the code itself nowhere mentions control of the press in the matter of libel, sedition, or otherwise, I am of the opinion that even this objection falls to the ground.

7. It remains to be seen whether public interest in the subject has now exhausted itself and whether the law will be passed in the autumn. On two previous occasions proposed measures which have given rise to popular clamour have been shelved for a month or two and then reintroduced and passed without opposition. But I hesitate to predict that the Press Law will go through so easily. There is a very general

feeling that what is done in Rabat is not necessarily good in Tangier. In fact the internationalisation of Tangier is tending to assert itself more quickly than the officials in Paris or Rabat ever supposed likely. It is true that the issue, as in the present case, is often purposely confused, but it would be a mistake to imagine that the laws of the French protectorate can simply be grafted on to Tangier. The danger of the situation is that each succeeding "general strike" of this nature, when shopkeepers are forced to close their doors for no reason, tends to strengthen the hand of the Workers' Union and the irresponsible elements, both Spanish and native, in the town.

8. As a further indication of the new feeling in Tangier, to which I have alluded, I may mention that the leading Moors have addressed to the Mendoub a petition, of which I understand the following are the principal points: They protest against a recent law providing for the registration of native prostitutes, partly as being contrary to the Moslem law, and partly on account of the abuses to which it has given rise on the part of the police and of Jewish women who procure native girls and keep illicit brothels under the guise of Hammans (bath houses). They ask that only natives of Tangier should in future be employed in the police force, and point out that the native members of the Assembly do not represent the views of the people. Only the first point in this petition is generally known, and to this the Mendoub gave a conciliatory reply, while M. Caillat, the French controller, who has made an excellent impression among the natives, was sympathetic.

9. On the evening of the 17th it was reported in the town that another general strike was contemplated for Thursday, the 19th. My French colleague came to see me and took the position very seriously. He was especially afraid of native demonstrations. I decided, therefore, as acting president of the Committee of Control (the Spanish consul-general being on leave) to call a meeting of the committee on the following morning and to invite M. Alberge and M. Caillat to attend in order that the committee might be fully informed of the facts. M. Alberge exposed the history of the Workers' Union and of the correctness of their attitude up to the time of the Tobacco Monopoly strike reported in my despatch No. 176 of the 26th July. When I asked the acting Spanish consul-general for his views on the Workers' Union he proceeded to blame the Administration in very direct language for not having quashed the union when it was first formed and for completely ignoring the Spanish paper, the "Crónica," which was the mouthpiece of the union and, in his opinion, a dangerous and subversive organ. He pointed out that in the old days before the statute came into force the Spanish Legation would never have tolerated this sort of agitation on the part of their colony. They had extraordinary powers which they never failed to use, and agitators and undesirable characters were simply deported without question. In that way the Spanish colony were kept under control, and there was never the slightest trouble. Now, however, everything was changed. The Spanish consul-general had received no request from the Administrator to take any action against the leaders of the union, and consequently had not been in a position to do so. Should he receive a request at any time from the Administrator, supported by evidence, for the expulsion of any Spanish subject, he would be prepared to ask authority from his Government to use the powers of expulsion conferred by article 29 of the statute.

10. With regard to the native agitation, M. Caillat explained the facts with regard to the registration of native prostitutes and the abuses to which it was said to have given rise. It was generally agreed in the committee that there was nothing inherently offensive in the law, but that unquestionably there had been considerable abuses since its application, and that this ought immediately to be remedied. M. Caillat went on to say that the union had been trying to obtain adherence to their extreme demands of some of the native elements. For instance, native carpenters were said to have associated themselves with the request that no furniture or woodwork that could be manufactured in Tangier should be imported from other parts of Morocco. Finally he pointed out that a petition to the Mendoub had been presented by native protégés, among whom were English, Spanish and American. My Spanish colleague and I at once promised to send for our respective protégés and to warn them against any illegal agitation. It was decided to have a communiqué put in the press warning the public that, in accordance with the recent regulation, mass meetings in the street were prohibited, and that interference with the liberty to work was punishable by law. At the same time criers were to be sent out into the streets warning the native population against agitation. Finally the Mendoub was to be asked by the Administrator to request the tabors to hold themselves in readiness to protect the public from interference, and to enable the shops to remain open. Although no notification was issued to the press, as is usually done, of the meeting of the Committee of Control, it soon

became known that the authorities were determined to preserve law and order. There was, in consequence, absolutely no demonstration yesterday, and everything was quiet and normal. M. Caillat is quite satisfied as to the native attitude, and I was told late in the evening that my Spanish colleague had, as a matter of fact, sent for the leaders of the Workers' Union and bluffed them that they would all be expelled if there was any trouble. This appears to be the kind of language that the Spaniards in Tangier understand. It is natural enough that the Spanish authorities have no wish to see Tangier, whether it remains international or whether it receives the Spanish mandate, become a centre of agitation and possible Communism. I am satisfied that the Spanish consulate-general have done nothing to encourage at any time the Workers' Union. Moreover, no evidence has been produced that the agitation is other than of local origin, or that any extreme elements have been introduced from outside with a view to creating trouble.

I have, &c.
R. H. CLIVE.

[W 10158/76/28] No. 52.

Mr. Gurney to Sir Austen Chamberlain.—(*Received October* 29.)

(No. 237.)

Sir, *Tangier, October* 21, 1926.

WITH reference to Mr. Bond's despatch No. 227 of the 1st instant reporting the Assembly's reception of demands formulated by the Workers' Union, I have the honour to report that the Acting Administrator, Señor Ruiz, has recently been faced with a situation which might have had serious consequences.

2. An unauthorised workers' meeting was called for last Saturday night in a local cinema, to which persons other than members of the union were invited and at which it was announced that the question of the eight-hour day was to be discussed. Señor Ruiz ordered the police to prevent the meeting, as he feared that it might result in disorder, and arranged for the Spanish Tabor to support their action if necessary. In reply to a threatening message from the workers' committee, he informed them that they would be held responsible for any untoward incidents. There was no demonstration, and after midnight the same night, when the malcontents might be supposed to have dispersed, the police arrested their ringleader, a Frenchman of communistic tendencies, for whose expulsion Señor Ruiz had asked the French consul earlier in the day. He was shipped to Marseilles the following morning on an expulsion order signed overnight by the Mendoub on telegraphic authority from Rabat.

3. The Workers' Union are at present directing their energies mainly to the initiation of the eight-hour day. As you are aware, the proposal has already come before the Assembly, and has been referred by them to a committee for enquiry. Not content to await the result of this enquiry, the union are already attempting to enforce by high-handed methods the observance of the eight-hour day by all workers, whether they belong to the union or not. The Builders' Union, which is affiliated to the Workers' Union, have instructed their members not to work for more than eight hours a day, and the Workers' Union have addressed a demand in this sense to at least one British firm which employs only non-union labour. In the latter case the firm are arranging with their men, who are anxious to continue to work for nine and a half hours as hitherto, to regard the extra hour and a half as overtime, but it would seem that the union are not satisfied with this arrangement and are contemplating further measures with a view to compelling all employers to limit the day to eight hours.

4. Whilst one cannot but view with sympathy any movement for a limitation of hours, and it is to be hoped that the matter will be taken into consideration by the Assembly at an early date, it is essential that constitutional methods should be observed, and that the union should not be permitted to interfere with the liberty of action of workmen not affiliated to them.

5. The matter needs, however, very careful handling, and it is perhaps fortunate that it is Señor Ruiz rather than M. Alberge who is at present at the head of affairs. The former enjoys much personal prestige and is possessed of considerable tact, and the fact of his Spanish nationality should be of great advantage to him in dealing with the union, whose members are for the most part Spanish nationals.

6. Further powers are, however, needed to enable the Administration to deal with cases of intimidation, and the question will have to be considered by the Assembly at an early date. I have already called the attention of the Committee of Control to the matter, in the case of a British subject to whom threats had been addressed by the nion, but no detailed discussion has yet taken place.

I have, &c.
HUGH GURNEY.

[W 10594/76/28] No. 53.

Mr. Gurney to Sir Austen Chamberlain.—(*Received November* 12.)

(No. 244.)
Sir, *Tangier, November* 4, 1926.

WITH reference to my despatch No. 241 of the 27th ultimo reporting an attempt on the part of the Workers' Union to secure the adoption of an eight-hour day by means of a general strike, I have the honour to state that this question has now been settled on the basis of an eight and three-quarter-hour day for a nine-hour day's wage, the odd quarter of an hour representing a breakfast interval.

2. This compromise, which is intended to be merely a provisional arrangement pending the consideration of the matter by the Legislative Assembly, was ultimately reached as the result of a conference between the Spanish consul and the President of the Chamber of Commerce who had been appointed by the workers and employers respectively to represent them, with full power to reach a settlement.

3. The contributary causes which induced the workmen to accept such an arrangement are, firstly, lack of strike funds; secondly, the possibility in many cases of eventually replacing European by native labour; and, thirdly, an important factor, the growing discontent of native labourers employed with European workmen in certain trades, *e.g.*. the building trade, at seeing their own conditions, with which they are quite satisfied, interfered with by Europeans. They themselves wish to work nine or ten hours a day for the fullest pay obtainable, and had latterly begun to adopt a threatening attitude towards their European fellow-workers. Native labour as a whole has indeed from the first regarded the strike with mistrust, and is likely to oppose vigorously any attempt by legislation, if such be now made, to curtail its hours of work.

4. It seems not improbable that the committee to whom, as reported in Mr. Bond's despatch No. 227 of the 1st ultimo, the question was referred by the Assembly will prefer, under the circumstances, to defer their decision indefinitely.

5. The unpopularity of the strike, the continuance of which until the 2nd November was only voted by the union by a bare majority, is evidenced by the fact that it is condemned in the local press by persons who profess to be the champions of labour, and the leaders of the Workers' Union are blamed for failing to use every effort to obtain a settlement before resorting to a general strike.

6. Some criticism is also levelled at the Acting Administrator, Señor Ruiz, whose attempts to bring about a settlement were considered by both employers and employees to be somewhat ineffective. I cannot help feeling, however, that Señor Ruiz displayed a firm hand at the right moment, and that his policy of encouraging the moderate elements in the union, whilst sympathising with both sides, has borne fruit, and, discounting for the moment the idea, which has gained some credence, that the whole movement was initiated and to a large degree controlled by the Spanish authorities for political reasons, I am not at all sure that the settlement which was finally arrived at quite amicably at an independent meeting of representatives of employers and employees, should not be attributed to his accurate comprehension of the situation and particularly of the moral factors in it.

I have, &c.
HUGH GURNEY.

(d.) Police Scandals.

[W 6279/6073/28] No. 54.

Mr. Clive to Sir Austen Chamberlain.—(*Received July* 8.)

(No. 147.)
Sir, *Tangier, July* 1, 1926.

WITH reference to my telegram No. 37 of yesterday regarding the alleged scandalous treatment of natives by the municipal police, I have the honour to report as follows:—

2. About a fortnight ago Mr. Harris told me that he had received information that in one of the police stations in Tangier, natives after being arrested were often subjected to brutal treatment. He was prosecuting his enquiries into the matter, and would let me know anything further that he heard. From the information he has now collected it appears that at the police station in question, which is under the charge of a Frenchman named Feret, assisted by one or two natives and a local Jew, natives who had been arrested are knocked about, flogged, and even tortured, in order to extract confessions of guilt. The form of torture applied is said to be a wooden instrument which is attached to each side of the head and then tightened up, causing intense pain and the eyes to protrude. Having heard of the existence of this instrument from a number of independent sources he had offered a man 1,000 fr. if he could obtain it for him. At the same time he informed Dr. Verdon, correspondent of the "Daily Telegraph," and Mr. Booth, correspondent of the "Daily News" and the "Sunday Times," who, after making enquiries on their own account, have now received confirmation of the general truth of these reports, and tell me that the occupants of a house adjacent to the police station have even complained of the noise made by the screamings of the prisoners. In reply to questions to the natives why no complaints had been made, Mr. Harris was told they considered it quite useless to complain as they did not know to whom to go under the existing régime.

3. On receiving this circumstantial story I caused enquiries to be made of the new Controller of Native Affairs, M. Caillat, and said I could not understand on what conceivable authority, supposing these stories to be true, the municipal police had acted. So far as I understood, their duty was strictly limited to making arrests and then handing over the arrested persons, either to the native court at the Mendoubia or, in the case of protégés and ex-protégés, to the Mixed Tribunal. M. Caillat took note of what was said. It was explained to him that I was not attempting to interfere in any way with his jurisdiction, but I thought it only right to let him know what I had heard, as he had so recently arrived and could not, in any case, be blamed for this state of affairs. He expressed his thanks, and said he intended to go carefully into the position. I also saw M. Alberge, the Administrator, and told him the whole story. I said I had heard no complaints actually against M. Palazat, the French head of the police, and I was well aware of the difficulties in a place like Tangier of forming a competent police force in a few months' time. He did not deny that the subordinate European members of the force were a very poor lot of men, who could hardly hope for employment in any decently run police force. I said it seemed to me that the fullest enquiry should be made into the present allegations. He replied, as I expected he would, that it was difficult to institute an enquiry when no complaints had been made by the natives themselves, and he was afraid that a public enquiry would be used for political purposes. I said I failed to understand what he meant: I could not see that there was any political issue involved—I was merely suggesting that a full enquiry should be held in the interests of Tangier and its administration, in order to clear up these serious allegations against the police force, which were current knowledge in the town. With some difficulty, I gathered that he was afraid of the Spanish Government making capital out of the inefficiency and alleged brutality of a police force under a French commissioner.

4. I happened to meet M. Alberge again the same evening, and he told me that he had already spoken to M. Palazat, who would at once institute an enquiry. There the matter rests for the moment, and I shall not fail to report further developments of this unpleasant story.

5. It must be admitted, however, that under the statute the position of the natives is somewhat anomalous. The Legislative Assembly makes laws which apply

equally to natives and to Europeans. While the municipal police have power to make arrests for infraction of the law, a wholly independent authority—the native tribunals under a French controller, over which the Administration has not the smallest control—tries the offenders and passes sentence. What I understand in the last few months has become the practice is for the police officials to draw up an indictment with supporting evidence (obtained often, as it appears, in the most illegal way) and then to send down the accused to the Mendoubia for trial. In many cases the accused has received no proper trial, but is condemned unheard on the basis of the police evidence. I am not stating this as a fact, but it is very widely believed that this is the procedure, and natives have borne witness to it. While I am well aware that the French declined to discuss the control of native affairs at the Paris Conference in 1923, I have always considered, and the view is widely held, that the only equitable arrangement in the long run must be for the control of natives to be under the Administration, with, if necessary, a third assistant-administrator for native affairs. I would place this official in control of the police, the gendarmerie and native affairs, under the Administrator. He would therefore be finally responsible to the Assembly. The French would, of course, oppose most strongly any such proposal, but I take this opportunity to place on record my own view of the position, as I feel that a time may come when the anomaly of an independent French controller will have to be revised. It is little wonder at present that the natives are doubtful as to the authority with whom they should lodge complaints.

I have, &c.
R. H. CLIVE.

[**W 6280/6073/28**] No. 55.

Mr. Clive to Sir Austen Chamberlain.—(*Received July* 8.)

(No. 150.)
Sir, *Tangier, July* 5, 1926.

SINCE I wrote my despatch No. 147 of the 1st July there have been some further developments in the matter of the police scandals.

2. It is now established, and not denied by the Administrator, that at one of the police stations the wooden instrument applied to the head with pressure was in reality an electric wire fastened through two pieces of wood, and what the ignorant native took to be the increasing pressure of the wood on his head was the electric current which had been turned on. The French Commissioner in charge of this station has been suspended. Moreover, orders have now been given through the Controller of Native Affairs that natives should not be detained or questioned after arrest by the police, but immediately handed over to the Mendoubia.

3. Apart from the more heinous offences, the police have made themselves generally unpopular by constant unnecessary interference, running in natives for the most trifling offences, and then releasing them against a money payment, &c. They have, in fact, no real knowledge of police duties, and most people agree that Tangier was better off when there was no police force at all, and the tabors did what police work was necessary.

4. The acting French consul-general came to see me this morning (M. Feit having gone to Paris on three months' leave of absence). He spoke about the police scandals, and said that there was a report in the French colony that I had protested and was responsible for all the publicity that had been given to the matter. I repeated what I have so often had to say to foreign officials, that I had no control over the British press, or, incidentally, over the "Moghreb-al-Aksa," the leading article from which I enclose.* There was nothing anti-French or anti-Spanish in the attitude adopted by myself or the English journalists, as was apparently being suggested by some foolish people. Here was one of those sordid police scandals such as unfortunately were apt to occur in any country. It was in the general interest that the facts should be exposed and the matter cleared up. If the Administrator attempted to whitewash the culprits and to conceal the facts, it was bound to react on the very existence of the Tangier régime. If, on the other hand, the Administrator acted straightforwardly, allowed the fullest enquiry, and insisted on the elimination from the police force of some of the many tainted characters among the European agents, the Tangier Statute would, I felt, in the long run actually stand to gain by this public washing of our dirty linen. I said that questions would be

* Not printed.

asked in the Assembly on the 7th July. M. Alberge would then have the opportunity of showing the attitude he intended to adopt, and I could only hope he would be open and explicit.

5. M. Merillon professed to agree with what I said, but demurred to the idea of any public enquiry. I quite understand that a public enquiry with natives in the rôle of accusers would be extremely distasteful to the French protectorate authorities, and would probably be held to be damaging to French prestige in Morocco. I said, therefore, that while I thought there should be a full and impartial enquiry, it might be that public opinion would be satisfied if a commission of enquiry selected from various elements in Tangier were appointed, their names published, and a promise given to publish the findings of the commission, which might perhaps consist of a judge from the Mixed Court, a member of the Assembly, a member of the Committee of Control, a member of the Administration and a representative of the Tangier Chamber of Commerce. M. Merillon did not dissent from this, and said that he would at once see M. Alberge.

Since the publicity given to the whole affair, natives have been much more ready to come forward, and there is no doubt that at both the police stations natives have been frequently knocked about and beaten without the slightest justification. I have no knowledge as to how natives are treated by the police in the French and Spanish zones, but M. Merillon admitted to me that the French authorities often received complaints of the mishandling of natives by the police in the protectorate.

I have, &c.
R. H. CLIVE.

P.S.—As evidence that this press campaign is not, as certain elements in Tangier have hastened to assume, an attempt by British journalists to make trouble, I enclose translation of an article from the Spanish paper the "Porvenir,"* a paper of whose anti-British attitude on a previous occasion I have had to complain.

R. H. C.

(e.) Gambling.

[**W 5828/76/28**] No. 56.

Foreign Office to Mr. Clive (*Tangier*).

(No. 206.)
Sir, *Foreign Office, July* 5, 1926.

I AM directed by Secretary Sir Austen Chamberlain to acknowledge the receipt of your despatch No. 137 of the 17th ultimo on the subject of gambling at Tangier.

2. The Secretary of State is not prepared to take any step which might be interpreted as an encouragement to gambling, but he appreciates the special circumstances which have led to the resolution of the Assembly. You are authorised therefore to vote for the rescission of the prohibition of gambling provided that all the other Powers represented on the Committee of Control support the proposed change.

I am, &c.
G. H. VILLIERS.

[**W 7473/76/28**] No. 57.

Mr. Clive to Sir Austen Chamberlain.—(*Received August* 13.)

(No. 182.)
Sir, *Tangier, August* 3, 1926.

WITH reference to your despatch No. 206 of the 5th July on the subject of gambling at Tangier, I have the honour to report that the French, Dutch and Portuguese consuls-general have now received replies from their Governments in the same sense, *i.e.*, that, without in any way wishing to encourage gambling at Tangier, these Governments authorise their representatives to agree to a rescission of section 1 of article 52, subject to all their colleagues being similarly authorised. No reply has been received by the Spanish consul-general, but my Belgian colleague communicated to the Committee of Control this morning a reply from his Government of which I have the honour to enclose a copy.

* Not printed.

2. M. Vandervelde suggests that the Belgian consul-general, while recording the dissent of the Belgian Government, should abstain from voting in order that the Committee of Control, on the principle which he says is accepted at the League of Nations meetings, may thereby be enabled to obtain unanimity. The committee were not much impressed by this reasoning, and held the view that unanimity as required by article 52 could not be obtained if certain members of the committee abstained from voting.

3. I enquired of M. Watteeuw whether public gambling was not permitted at Ostend. He admitted that it was, and that the Belgian Government drew a considerable revenue from it. It is difficult to understand therefore the *raisons de principe* on which M. Vandervelde bases his attitude.

I have, &c.
R. H. CLIVE.

Enclosure in No. 57.

M. Vandervelde to M. Watteeuw.

Bruxelles, le 15 juillet 1926.

J'AI examiné à nouveau la question qui fait l'objet de votre rapport du 17 juin dernier, auquel était jointe une note par laquelle les consuls généraux, membres du Comité de Contrôle, expriment à leurs Gouvernements respectifs l'avis que les jeux de hasard pourraient être autorisés à Tanger, aux conditions fixées par le projet de règlement rédigé par M. Alberge, administrateur.

A la date du 24 juillet 1925, je vous avais télégraphié que le Gouvernement belge, qui interdit les jeux de hasard en Belgique, ne pouvait en approuver le maintien à Tanger, contrairement au principe de l'article 52 du statut.

Par un télégramme du 10 août suivant, je vous ai fait savoir que, si la Belgique était seule à s'opposer à la tolérance *provisoire* des jeux, et que le maintien de cette opposition risquât de créer des difficultés, vous étiez autorisé à vous rallier à l'opinion des Puissances contractantes. Je vous priais, en même temps, de tâcher d'obtenir que l'interdiction absolue de l'article 52 pût être appliquée, au plus tôt, aux ressortissants des Puissances intéressées adhérentes et non adhérentes.

Comme l'indique le texte de ce télégramme, je n'admettais qu'une tolérance provisoire, qui eût pris fin dès le moment où les représentants de toutes les Puissances eussent accepté que leurs ressortissants fussent soumis à l'interdiction.

Or, le projet de règlement élaboré par M. Alberge autorise les jeux de hasard. Comme les raisons de notre opposition de principe ne se sont nullement modifiées, je ne puis vous donner mandat d'approuver ce règlement, c'est-à-dire d'abroger l'interdiction de l'article 52. S'il apparaît comme certain que les représentants des autres Puissances seront unanimes à lever l'interdiction, tout au plus puis-je admettre qu'en raison de cette unanimité, vous vous absteniez au vote après avoir fait connaître le dissentiment du Gouvernement belge. De cette façon, si les membres votants du Comité de Contrôle, autorisés par leurs Gouvernements respectifs, abrogent à l'unanimité l'article 52, le Gouvernement belge, qui naturellement ne peut s'engager dans un conflit à propos d'une disposition ne touchant pas ses intérêts propres, aura du moins évité de coopérer à une modification du statut *que pour des raisons de principe* il n'approuve pas.

VANDERVELDE.

P.S.—Il a été définitivement admis à la Société des Nations que les abstentions comptaient comme absences et ne faisaient pas obstacle à l'unanimité. Je suppose que le Comité de Contrôle accepte ce principe.

V.

[**W 7473/76/28**] No. 58.

Foreign Office to Mr. Clive (Tangier).

(No. 272.)
Sir, *Foreign Office, August* 23, 1926.

I AM directed by Secretary Sir Austen Chamberlain to acknowledge the receipt of your despatch No. 182 of the 3rd instant on the subject of the proposed authorisation of gambling at Tangier.

2. As M. Vandervelde points out, there is some analogy between the position of the Committee of Control and that of the Council and Assembly of the League of Nations, whose decisions are in many cases required to be unanimous. On more than one occasion the Assembly has been held to have voted unanimously although a member who was present abstained. During the recent discussions on the position of Spain and Brazil His Majesty's Government held that it was possible for the Council to reach a unanimous decision even if one of these Powers were not present. In view of the above, the Secretary of State is advised that if the Belgian member of the Committee of Control simply abstained from voting, on the analogy of the League procedure it could be contended that the unanimity required by article 52 of the Tangier Convention existed. If, however, he regarded his instructions as requiring him to place his dissent on record in addition to abstaining, it is more than doubtful whether it could be held that article 52 had been complied with.

3. I am to request that if an opportunity occurs you will place these considerations before the Committee of Control.

I am, &c.
G. H. VILLIERS.

[**W 8827/76/28**] No. 59.

Mr. Clive to Sir Austen Chamberlain.—(Received September 16.)

(No. 209.)
Sir, *Tangier, September* 8, 1926.

WITH reference to your despatch No 206 of the 5th July, in which you authorised me to vote for the rescission of the prohibition of gambling as laid down in article 52 of the statute provided all the other Powers represented on the Committee of Control supported the proposed change, I have the honour to report that all my colleagues have now received instructions in the same sense excepting my Belgian colleague, on whose attitude I had the honour to report in my despatch No. 182 of the 3rd August.

2. In regard to the Belgian attitude, you inform me in your despatch No. 272 of the 23rd August that you share the view that if the Belgian member of the Committee of Control simply abstained from voting, on the analogy of the League procedure it could be contended that the unanimity required under article 52 of the Tangier Convention existed. I communicated a copy of your despatch in question to the Committee of Control, and my French and Spanish colleagues are now seeking instructions from their Governments on the point. My Dutch colleague states that his Government accept the view of M. Vandervelde.

I have, &c.
R. H. CLIVE.

(f.) Spanish Customs Cordon.

[**W 6148/76/28**] No. 60.

Sir Austen Chamberlain to the Marquess of Crewe (Paris).

(No. 1972.)
My Lord, *Foreign Office, July* 9, 1926.

WITH reference to Mr. Phipps's despatch No. 1171 of the 23rd ultimo, I transmit copies of a note from the French Ambassador regarding the customs difficulties on the frontier between Tangier and the Spanish zone and of my reply.

2. I request that your Lordship will take an opportunity to urge on the French Government the views expressed in my note to M. de Fleuriau, viz., that, while His Majesty's Government agree that the question should be settled, if possible, by direct negotiation at Tangier, they consider that, if the Spanish Government persist in claiming the *taxe spéciale* of 2½ per cent. on all produce which crosses the Tangier boundary, the three signatory Governments will have no alternative but to comply with the request of the Tangier Assembly for an authoritative interpretation of article 20 of the Tangier Convention. His Majesty's Government remain of the opinion that the *taxe spéciale* should not accrue wholly to the Customs Administration of the Spanish zone, and they see no reason why Tangier should be compelled to surrender uncon-

ditionally to the Spanish Government on the point merely in order to secure agreement. The financial position of Tangier renders it particularly necessary that the signatory Governments should do all that they can to secure for the zone the full revenue to which it is entitled.

I am, &c.
AUSTEN CHAMBERLAIN.

Enclosure 1 in No. 60.

M. de Fleuriau to Sir Austen Chamberlain.

PAR une note en date du 23 juin, l'Ambassade de Sa Majesté britannique à Paris a communiqué au Gouvernement français un télégramme du consul général de Grande-Bretagne à Tanger, relatif à l'application par le Gouvernement espagnol de l'article 20 du Statut de Tanger et aux tractations en cours, en vue de trouver une solution à cette affaire.

Le télégramme précité de Mr. Clive, en date du 19 juin, est identique à celui que le consul général de France à Tanger a adressé le même jour au Gouvernement français et qui a été communiqué par la suite à cette Ambassade.

M. Briand a répondu à M. Feit que cette question ne devrait plus sortir de son cadre local et qu'il appartenait aujourd'hui à l'Administration de la zone de la régler au mieux de ses intérêts, même en consentant un sacrifice pécuniaire, qui serait encore préférable à la situation si préjudiciable créée à la zone par le maintien du cordon douanier.

Il résulte, d'autre part, d'un nouveau télégramme du consul de France à Tanger, en date du 24 juin, que le consul d'Espagne aurait recommandé à son Gouvernement l'adoption du projet élaboré à Tanger le 9 juin, qui donnerait satisfaction à tous intérêts. Mais ce projet, après avoir paru de nature à être agréé par le Gouvernement espagnol, avait été subitement abandonné par lui pour en revenir à la dernière conception qui a motivé les derniers télégrammes de M. Feit et Mr. Clive et paru inacceptable au Gouvernement britannique. Toutefois, si le Haut-Commissaire espagnol à Tétouan se montre également favorable au projet du 9 juin, ainsi que M. Pla l'a déclaré à M. Feit, il y aurait sans doute quelque chance que le Gouvernement espagnol revînt sur sa décision et consentît enfin à se contenter de ce projet pour régler une situation qu'il semble peu enclin à prolonger.

Quoi qu'il en soit, le Gouvernement français estime que la phase dans laquelle est entré ce règlement ne peut plus faire l'objet d'interventions directes des Puissances signataires du Statut de Tanger et qu'il y a tout intérêt à laisser les intéressés régler sur place ce différend, dont la force même des choses réclame une prompte liquidation.

En portant ces considérations à la connaissance de Sir Austen Chamberlain, M. de Fleuriau a été chargé de lui demander si le Gouvernement britannique partage la manière de voir du Gouvernement français sur cette affaire.

L'Ambassadeur de France saisit, &c.

Ambassade de France, Londres,
le 2 juillet 1926.

Enclosure 2 in No. 60.

Sir Austen Chamberlain to M. de Fleuriau.

Your Excellency, *Foreign Office, July* 10, 1926.

IN your note of the 2nd instant you stated that the French Government considered that the application of article 20 of the Tangier Convention was a question which should be settled on the spot by direct communication between the Tangier Administration and the authorities of the Spanish zone, and you enquired whether His Majesty's Government concur in this view.

2. I have the honour to inform your Excellency that His Majesty's Government, whilst they are in general agreement with the French Government, consider that, if the Spanish Government persist in claiming the *taxe spéciale* of 2½ per cent. on all produce which crosses the Tangier boundary, the three signatory Governments will have no

alternative but to comply with the request of the Tangier Assembly for an authoritative interpretation of article 20 of the Tangier Convention. His Majesty's Government remain of the opinion that the *taxe spéciale* should not accrue wholly to the Customs Administration of the Spanish zone, and they see no reason why Tangier should be compelled to surrender unconditionally to the Spanish Government on the point merely in order to secure agreement. The financial position of Tangier renders it particularly necessary that the signatory Governments should do all that they can to secure for the zone the full revenue to which it is entitled.

I have, &c.
AUSTEN CHAMBERLAIN.

[W 6908/76/28] No. 61.

Mr. Clive to Sir Austen Chamberlain.—(Received July 28.)

(No. 170.)

Sir, *Tangier, July* 24, 1926.

WITH reference to my telegram No. 40 of the 23rd July, I have the honour to transmit herewith a copy of the text of the agreement which will be signed on the 25th July by M. Alberge, on behalf of the Tangier Administration, and Señor Valverde, on behalf of the Spanish High Commission, whereby the customs cordon will be removed from that date and the Tangier zone will pay 25 per cent. of the net customs receipts to the Spanish zone.

2. You will observe that, although for the present the special tax of 2½ per cent. is to be included in the total on which the 25 per cent. will be levied, there is a special article of the agreement, No. 8, dealing with the special 2½ per cent. tax. This lays down that, if the three signatory Powers are unable to agree as to the proper allocation of this tax, the question is to be submitted to arbitration in accordance with article 54 of the Paris Convention. In this connection, I enclose a copy of a note which I received from the Administrator when forwarding the text of the agreement, which is to remain in force until the end of the year following that in which the Tangier–Fez Railway starts working. I consider that from the Tangier point of view the agreement is on the whole satisfactory. Twenty-five per cent. of the net receipts as laid down is equal, so it is estimated, to a fraction less than 22 per cent. of the gross receipts. At the same time nothing will be paid to the Spanish zone for the period the 15th April to the 25th July, although, in fact, a considerable amount of goods from Tangier found their way into the Spanish zone in spite of the customs cordon.

I have, &c.
R. H. CLIVE.

Enclosure 1 in No. 61.

M. Alberge to Mr. Clive.

M. le Consul général, *Tanger, le 23 juillet* 1926.

J'AI l'honneur et le plaisir de vous communiquer, ci-joint, le texte de l'accord intervenu avec la zone espagnole pour le règlement de la question douanière.

Le Gouvernement espagnol a accepté intégralement la contre-proposition faite par l'Assemblée et qui prévoyait :

1. La ristourne des frais de perception ;
2. L'inclusion des taxes de consommation dans le régime forfaitaire avec la même base de partage que pour les produits douaniers ;
3. Le maintien de la réserve faite au sujet de la taxe de 2½ pour cent.

Sur ce dernier point, la position du Gouvernement espagnol est particulièrement intéressante à noter, puisqu'il accepte de discuter la question séparément avec les autres Puissances signataires sans la relier aucunement avec une revision quelconque du statut.

Veuillez agréer, &c.
P. ALBERGE.

Enclosure 2 in No. 61.

Agreement between Tangier Administration and Spanish High Commission respecting the Customs Arrangements.

LES soussignés, Paul Alberge, Administrateur de la Zone de Tangier, agissant au nom et en représentation de l'Administration de cette zone, avec l'approbation de l'Assemblée législative accordée dans la séance en date du 7 juillet 1926, et Don Luciano Valverde, Directeur des Finances de la Zone de Protectorat espagnol au Maroc, agissant au nom et en représentation de ladite zone, dûment autorisé par le Haut-Commissariat d'Espagne, ont convenu que les droits reconnus à la zone espagnole en vertu de l'article 20 de la Convention de Paris sur les importations et exportations faites par la Zone de Tanger donneront lieu à un règlement de la part de l'Administration de Tanger conformément aux clauses suivantes :

1. Dès la signature de la présente convention, l'Administration de Tanger versera à la Zone de Protectorat espagnol le 25 pour cent des sommes encaissées par la douane de Tanger entre le 1er juin 1925 et le 14 avril 1926 au titre des droits d'importation et d'exportation et de la taxe spéciale de 2½ pour cent.

2. De même, dès la signature de la présente convention, la Zone de Protectorat espagnol supprimera les postes de surveillance douanière à la frontière de la Zone de Tanger.

3. A dater de la suppression desdites postes, l'Administration de Tanger versera à la Zone de Protectorat espagnol le 25 pour cent des sommes encaissées au titre de droit d'importation, de taxe spéciale de 2½ pour cent et d'exportation, ainsi que les taxes de consommation perçues sur les produits actuellement taxés dans les deux zones ou qui, étant taxés à Tanger, viendraient à l'être en zone espagnole.

Il est convenu que les taxes de consommation actuellement en vigueur ne pourront être supprimées ni réduites.

4. Sur les sommes que la Zone de Tanger aurait à verser, il sera fait déduction des frais de recouvrement.

Le montant en sera déterminé en partageant les frais de recouvrement proprement dits au prorata des sommes revenant à chaque zone.

5. La liquidation, basée sur les recettes de la douane de Tanger, se fera mensuellement avec le concours du vérificateur espagnol.

L'Administration de Tanger effectuera dans les quinze premiers jours de chaque mois le versement des sommes afférentes au mois précédent.

Le règlement du présent mois sera fait avec celui d'août prochain.

6. Le produit des droits afférents aux tabacs sera partagé dans les conditions prescrites par l'article 39 de la Convention de Paris.

7. Le trafic maritime des marchandises sera réalisé soit en transbordement, soit sous le régime de cabotage.

Dans le premier cas, le port où la marchandise sera transbordée délivrera simplement le titre de mouvement, les droits de douane, taxe spéciale et taxes de consommation seront liquidés et perçus au port de destination.

Si la marchandise provient du commerce libre, elle sera expédiée sous le régime de cabotage et les droits y afférents seront considérés comme compris dans le forfait de 25 pour cent prévu à la clause No. 3.

Ne seront considérées comme marchandises provenant du commerce libre que celles qui seront effectivement entrées dans les entrepôts ou magasins des commerçants.

8. L'Administration de Tanger demande acte de ce que la question de l'attribution de la taxe spéciale de 2½ pour cent a été soumise par l'Assemblée législative au Comité de Contrôle pour être portée devant les Puissances signataires du statut.

L'Administration de la Zone espagnole, de son côté, demande acte de ce que, au cas où les Puissances signataires n'arriveraient pas à un accord amiable accepté par l'Espagne, cette question sera soumise, conformément à l'article 54 de la Convention de Paris, soit au Tribunal permanent de Justice internationale, soit d'accord entre les parties en cause au Tribunal permanent d'Arbitrage de La Haye. Il demeure entendu, par ailleurs, que, jusqu'à l'accord amiable ou la sentence du tribunal, la clause No. 3 de la convention aura son plein effet et que, par suite, la taxe spéciale entrera dans le calcul du 25 pour cent qui, en vertu de la présente convention, doit revenir à la zone espagnole sur les recettes douanières de Tanger. Mais si l'accord ou la sentence sont contraires à la thèse de l'Administration de la Zone espagnole, les sommes en question seront remboursées.

9. La présente convention restera en vigueur jusqu'à la fin de l'année qui suivra la mise en exploitation du Chemin de Fer Tanger–Fez. 42

Après cette date, il pourra être convenu de l'établissement d'un nouveau forfait basé sur les statistiques du chemin de fer, ou de la mise en vigueur du régime de transit prévu par l'article 20 du statut.

Le présent accord pourra être résilié moyennant un préavis de deux mois en cas d'inexécution de l'une de ses clauses, ou moyennant une dénonciation faite six mois à l'avance au cas où l'une des parties contractantes viendrait à le considérer comme portant atteinte à ses intérêts.

Fait, en double exemplaire, en espagnol et en français, à Tanger, le 25 juillet 1926.

P. ALBERGE. LUCIANO VALVERDE.

(g.) Miscellaneous.

[W 7266/7266/28] No. 62.

Mr. Clive to Sir Austen Chamberlain.—(Received August 7.)

(No. 177. Confidential.)

Sir, *Tangier, July 26, 1926.*

WITH reference to your despatch No. 221 of the 15th July, I have the honour to submit the following notes on the two diplomatic agents and five other consuls-general at Tangier. The latter, with myself, at present form the Committee of Control :—

Diplomatic Agents.

United States.

Mr. Maxwell Blake first came as Chargé d'Affaires to Tangier in 1913, being appointed diplomatic agent and consul-general in 1917. He left in 1922, and was reappointed in 1925, spending the intervening time on missions in Australia and Albania. He now finds his position changed. The splendid isolation of the non-adhering Powers is not congenial to him, and he has little to do except report to his Government how he considers the new administration is working. There is no American colony. He constantly repeats to me that his bible in Morocco is the Act of Algeciras, and cannot apparently realise that the French protectorate and the Tangier Statute have for most practical purposes knocked the bottom out of that international instrument, even though his Government have not adhered to the statute, and may never do so. He is extremely suspicious of the French, and maintains that neither French nor Spanish intend the statute to work, and that both are merely waiting for it to fail in the hope of getting Tangier themselves. He has, in fact, become a pessimist about Morocco, is tired of Tangier and anxious to get another post. Personally I like Mr. Blake, who is shrewd, and has always been friendly and straightforward with me. He is very outspoken, and professes a great contempt for what he calls the old diplomacy, and cannot understand why all his colleagues do not at once tell him everything they know. He is apt to be profane in his language, and makes his Latin colleagues uneasy by his outspokenness, and they find him rather trying. His knowledge of French is primitive, of other languages nil. He is married to a local Gibraltarian lady as his second wife.

Italy.

Count Vannutelli Rey succeeded Signor Borghetti as Italian diplomatic agent and consul-general in the autumn of 1925. He had previously been for four years Counsellor of the Italian Embassy in Paris, and has told me on more than one occasion that he refused the posts of Minister at Tehran and Addis Ababa—a fact which causes him much satisfaction. In fact, Count Vannutelli has a great sense of his own importance. He is not, however, popular, and does not inspire confidence, and his colleagues are not nearly so impressed as he thinks they ought to be by the fact that he is the nephew of a cardinal. He is a whole-hearted Fascist, but anxious, I believe, for Italy to adhere to the statute if a way can be found to satisfy Italian *amour propre*. He served for some years as Second Secretary, and speaks passable English. He recognises with appreciation that such efforts as have been made to bring Italy into the

statute are solely due to British initiative. When this comes about he expects to get another post. Though unmarried, he is regarded with some anxiety by the mothers of attractive daughters.

Consuls-General.

Spain.

M. Plá y da Folgueira, who arrived here last autumn, has the rank of Minister Plenipotentiary in the Spanish Diplomatic Service. He is president of the Committee of Control for 1926 in accordance with the alphabetical precedence for that position laid down in the statute.

Signor Plá is the antithesis of his predecessor, Signor Buigas. He is sedate, silent and correct, but not very intelligent. He always wishes to be conciliatory, and is appreciated for this by the French consul-general. He lacks initiative, and I doubt his Government ever paying much attention to his views if he ever expresses any. He does little for his large colony, and, when he omitted to invite the four Spanish members of the Assembly to a big open-air party he gave, those gentlemen seriously threatened to resign—a fact which became known, and was openly talked of in the town. I fear he will do little either to encourage or discourage genuine Spanish co-operation in the statute—in fact, a supremely placid individual. He has served in Washington, speaks fair English, and is unmarried.

France.

M. Feit arrived here in August last year. After spending ten years in China in the French Consular Service he was employed for a further ten years under the protectorate Administration at Oujda in charge of that large province of Morocco that forms the frontier with Algeria. M. Feit is a charming man and one of the most broad-minded French officials that I have met, and I have every reason to believe that he is absolutely straight. He has been extraordinarily frank in deploring the tactlessness of M. Alberge, the Administrator, and has, I think, too much character ever to be the unwilling tool of the protectorate Government. That he is anxious to maintain the very strong French position in Tangier and to allow nothing to be done to undermine it is but natural, but both my Spanish colleague and I have always found him reasonable and open to argument, and he is certainly an agreeable colleague to work with. He is married, and both he and his wife can speak fairly good English. (Written in 1925.)

There have been constant rumours that M. Feit, who is on leave, will not return to Tangier, but has been offered a Legation. It is even stated that his successor, in the person of the present French Controller at Oujda, has been designated. M. Feit is not popular with his colony, but he has a very difficult colony to deal with, and I think he would not really be sorry to leave Tangier.

Holland.

M. Gerth van Wijk is a sound and friendly colleague, with no *parti pris* for any of the three principal Powers of Tangier. He will probably adopt the line he believes to be right when it comes to a vote in the Committee of Control, and I should doubt his being much influenced by specious arguments on any question. It was for that reason that I proposed his representing the committee on the Port Commission. Like most Dutchmen, he talks a number of languages fluently. He arrived in January, and was for many years Dutch consul in Moscow and St. Petersburgh until, on the outbreak of the revolution, he was transferred to Zürich. He is married to a lady of Italian origin, but Dutch appearance. (Written in 1925.)

Belgium.

M. Watteeuw ceased, much to his own regret, to be president of the Committee of Control at the end of 1925. He was energetic and competent in that capacity. He likes being president of things, and it was some compensation that it happened to be Belgium's turn in 1926 to supply the president of the International Spartel Lighthouse Commission. There is no Belgian colony, and for reasons of economy the Belgian Government have withdrawn the vice-consul and archivist from his staff. He now has no one but a native interpreter. His only interest is to try to hasten the formation of the gendarmerie with its Belgian captain. He is a jolly and cheerful soul whom everyone likes, but lacking in every sense of dignity. His chief enemy is whisky, for which he acquired an undue liking when consul in Sydney. He was subsequently

consul-general at Kobe before coming here. He, his wife and children all talk excellent English, and are very friendly people.

Portugal.

Having recently adhered to the statute, M. Ferreira, who had for several years been considered as Portuguese agent and consul-general, and is aged about 60, has been transferred to Berlin as Counsellor of Legation. I cannot help doubting, therefore, whether he ever had the substantive rank of agent and consul-general. A Portuguese consul-general has now been appointed, but as he was simultaneously instructed to inspect consulates in other parts of the world is not expected at Tangier for a year or two. Meanwhile, M. Nascimento, till now Counsellor of the Portuguese Legation at Berlin, has come here as acting consul-general. He is a native of Madeira, speaks very good English, and told me gratuitously that I could always count on his vote at the Committee of Control. He combines a cheerful disposition with extreme parsimony. He disputes his doctor's and dentist's bills and invariably underpays cabmen. He is unmarried.

I have, &c.
R. H. CLIVE

[**W 8574/76/28**] No. 63.

Mr. Clive to Sir Austen Chamberlain.—(*Received September* 9.)

(No. 203.)

Sir, *Tangier, September* 2, 1926.

WITH reference to my despatch No. 200 of the 27th August, paragraph 6, in regard to the very offensive article in the local French paper, I have the honour to report that, as a result of the complaint of my Spanish and Italian colleagues, the acting French consul-general advised M. Pierre André, the editor of the "Dépêche marocaine," and M. Azancot, the French Jew who wrote the article, to leave Tangier for a while. Both have done so.

3. My Spanish colleague, however, in a note to M. Merillon, of which he sent copies to all his colleagues, formally requested that these two persons should be expelled, and at a meeting of the Committee of Control yesterday he complained that a short temporary absence from Tangier was not sufficient punishment for their action, which might have resulted in the outbreak of serious disorders. He said that, at the request of the Administrator, he had immediately caused one of the Spanish agitators to be expelled, and in his opinion what MM. André and Azancot had done was a far greater offence. He was going to meet the leaders of the Spanish Union that afternoon, and unless he had some assurance that these two persons would not return as soon as they wished to, he knew there would be great indignation in his colony. After a long discussion it was decided to place on the minutes of the committee a statement to this effect: "The Committee of Control have taken note of the fact that, at the request of the acting French consul-general, MM. André and Azancot have left Tangier. M. Merillon has given an assurance that there can be no question of their early return. The Committee of Control consider that their absence from Tangier is necessary in the interests of public order." Armed with this statement, which he was authorised to read to the Spanish Workers' Union, although it was not for communication to the press, M. Espinos hoped that he would be able to appease the indignation of his compatriots. I trust, therefore, that this unpleasant incident is now closed.

I have, &c.
R. H. CLIVE.

[**W 9813/1064/28**] No. 64.

Consul-General Sir A Ryan to Sir Austen Chamberlain.—(*Received October* 19.)

(No. 191.)

Sir, *Rabat, October* 7, 1926.

SINCE receiving your despatch No. 75 of the 20th August, in which you forwarded to me a copy of your despatch No. 265 of the 18th August to His Majesty's consul-general at Tangier, I have been in further communication with that officer

and Mr. Bond regarding the controversies with the French authorities as to the status in the French zone of "ex-Tangier protégés" and the jurisdiction competent to deal with the families of those same persons.

2. I suggested to Mr. Clive that it would be well to inform the Residency-General orally of the decision of His Majesty's Government and the effect of it so far as we were concerned. Mr. Bond concurred in this suggestion. I therefore, when seeing M. Lavondès on other business on the 5th October, told him that, in accordance with a suggestion which he had himself made, His Majesty's Government had decided not to pursue the two controversies. I said, however, that this did not mean that they abandoned the principles sustained in correspondence in which the French had had the last word on both questions. It merely meant that His Majesty's Government were content to shelve very difficult questions of principle unless and until concrete cases made it necessary to reopen them. I added that, when I forwarded the general protection lists at the beginning of each year, I should include the list of ex-Tangier protégés, as I had done this year, and the Residency-General would doubtless safeguard their own view when acknowledging receipt.

3. As regards families, I understand from Mr. Bond that it is not proposed to take any action to modify the present position, which is that initialled lists of ex-Tangier protégés are in existence but have not been signed owing to the dispute as to whether their families are to have the same status as themselves. Mr. Bond suggests that it would be well to include in the protection lists a note to the effect that we so regard them. I concur generally in this suggestion, and will, unless instructed to the contrary, make the point clear when forwarding the annual lists either by attaching a note to the lists, or by referring to the matter in my covering note. It did not, however, seem to me necessary to tell M. Lavondès that this was my intention.

4. M. Lavondès said that he quite understood the position. We agreed in hoping that few, if any, concrete cases of difficulty would arise, and that, if and when they did, we should find means to settle them amicably.

5. I am sending a copy of this despatch to the acting British consul-general at Tangier.

I have, &c.
ANDREW RYAN.

[W 9958/76/28] No. 65.

Sir H. Rumbold to Sir Austen Chamberlain.—(*Received October* 22.)

(No. 476.)
Sir, *Madrid, October* 18, 1926.

WITH reference to my despatch No. 382 of the 19th August last, I have the honour to transmit to you herewith copy* and translation of a note which I have received from the Spanish Government in regard to the constitution of the Court of Appeal to deal with questions arising in the Tangier zone respecting real property. This is the note which was foreshadowed in my despatch under reference.

2. An official from the Ministry of State brought me the note to-day and asked that the reply of the Embassy should be couched in exactly similar terms to those used in the Spanish note, so that the said reply might constitute an exchange of notes. He was making a similar request to the French Chargé d'Affaires, who, I understand, is very anxious to conclude this matter as rapidly as possible.

3. In view of Mr. Gurney's despatch No. 228 of the 12th instant, of which he was so kind as to send me a copy, I would suggest that, if you agree with the terms of the Spanish note, you should authorise me by telegraph to reply in similar terms.

I have, &c.
HORACE RUMBOLD.

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* Not printed.

Enclosure in No. 65.

M. de Yanguas to Sir H. Rumbold.

(Translation.)
Your Excellency, *Madrid, October* 16, 1926.

AS a result of the friendly negotiations carried on by His Majesty's Government with the French and British Governments with regard to the procedure to be followed for the appointment of the two ulemas destined to form, under the Presidency of the Mendoub, the Tangier Court of Appeal to deal with appeals concerning lawsuits in regard to real property in which foreigners are involved, His Catholic Majesty's Government are agreed that the formula to be applied in future for the settlement of the said matter shall be the following:—

"The attention of the Mendoub shall be specially called by the Spanish consul-general in Tangier to the rights of any Mussulman notable to form part of the Court of Appeal competent to act in lawsuits relating to real property. The appointment of the said native notable to the office in question shall be carried out as soon as the examination of his rights, on the basis of a list of three candidates presented for this purpose by the said Spanish consul-general, has been the object of a friendly understanding between the consuls of Spain and France.

"The attention of the Mendoub shall further be specially called by the British consul-general in Tangier to the rights of any Mussulman notable to form part of the Court of Appeal competent to act in lawsuits relating to real property. The appointment of the said native notable to the office in question shall be carried out as soon as the examination of his rights, on the basis of a list of three candidates presented for this purpose by the said British consul-general, has been the object of a friendly understanding between the consuls of Great Britain and France."

I am happy to inform your Excellency of the above in reply to your note No. 130 of the 5th June last.

I avail, &c.
JOSE DE YANGUAS.

[W 9958/76/28] No. 66.

Sir Austen Chamberlain to Sir H. Rumbold (Madrid).

(No. 62.)
(Telegraphic.) R. *Foreign Office, October* 22, 1926.

YOUR despatch No. 476 of 18th October.

You are authorised to exhange proposed notes.

[W 10595/76/28] No. 67.

Mr. Gurney to Sir Austen Chamberlain.—(*Received November* 12.)

(No. 245.)
Sir, *Tangier, November* 4, 1926.

I HAVE the honour to state that the Tangier zone budget for 1927 was presented to the Assembly by the Director of Finance on the 28th ultimo and was referred to the Finance Committee for consideration.

2. I enclose a verbatim report of Mr. Dicken's speech, which elucidates certain points.

3. Receipts for the year are estimated at 25,085,000 fr., expenses at 24,770,000 fr., showing a credit balance of 313,000 fr., which last, however, is now threatened by an unexpected increase of 400,000 fr. in the projected customs budget for 1927. Corresponding figures for 1926 were 18,660,000 fr. and 18,460,000 fr., the increased figures for 1927 being due to the depreciation in the value of the franc.

4. The Public Works Department, which was especially favoured last year, has to content itself now with credits permitting only the execution of works of

maintenance and improvement. For this purpose it receives 7,681,067 fr., or 43 per cent. of the total funds available after deduction of 7,020,000 fr., or 28 per cent. of the gross receipts due from the zone under the section "Dette publique."

5. Whilst Mr. Dicken is able to balance his budget for the coming year without having recourse to new taxation, he warned the Assembly that further revenue will have to be found in the years following, when the public debt will absorb a still greater proportion of the income of the zone, owing to the additional interest which will be due upon further loans for the Port Works and the payments which will have to be made in connection with the Tangier–Fez Railway.

I have, &c.
HUGH GURNEY.

Enclosure in No. 67.

Extract from the "Tangier Times."

BUDGET OF THE ZONE.

M. le Président,

LA présentation du troisième budget de la zone, depuis l'implantation du statut, est d'un très grand intérêt pour notre histoire financière.

Cette fois encore, je peux vous présenter un budget où les recettes couvrent les dépenses prévues, sans qu'il y ait nécessité d'imposer de nouvelles taxes; mais c'est au prix de certains sacrifices. Je prévois nos recettes à 25,085,000 fr. et nos dépenses à 24,770,000 fr., ne constituant une réserve que de 333,000 fr. pour parer à toute surprise en cours d'année, et encore cette somme de 24,770,000 fr. ne représente qu'un budget d'entretien et d'amélioration de certains travaux déjà existants: les articles afférents aux travaux neufs ont disparu.

Les deux budgets passés nous ont permis non seulement de réaliser des progrès importants mais aussi de constituer un fonds de réserve appréciable. Le budget de 1927 et ceux des quelques années à venir seront des "budgets d'entretien," nous pourrons effectuer des travaux neufs indispensables sur les économies réalisées au cours des exercices écoulés et qui constituent notre fonds de réserve. Je reparlerai de cela plus tard. Pour le moment, examinons le budget de 1927.

Les recettes se trouvent augmentées. Dans le budget de 1926, le total de celles-ci était de 20,943,100 fr. En cours d'année, il a été porté à 22,775,000 fr. à cause de l'établissement du nouveau budget de la douane. Pour 1927, je prévois un chiffre de 25,085,000 fr., soit 25,000,000 en chiffres ronds, augmentation due en partie aux recettes douanières qui sont basées sur le tarif *ad valorem*.

Par contre, la ristourne due par la zone de Tanger à la zone espagnole, et qui est de 25 pour cent se trouve augmentée dans la même proportion. Pour établir une comparaison plus nette, considérons les chiffres, après avoir déduit des recettes la ristourne en question:

	Francs.
Budget original de 1925	18,953,100
Budget revisé de 1926	19,775,000
Budget pour 1927	20,855,000

Quelles sont les dépenses auxquelles nous avons à faire face, avec ces recettes nettes?

Notre dette publique se trouve augmentée de 1,100,000 fr., du fait que les travaux de la construction du part sont maintenant plus avancés.

J'ai augmenté les chapitres de Travaux publics de 3,500,000 fr. environ pour l'entretien et les améliorations. Ce supplément est rendu nécessaire par l'augmentation du prix des matériaux et de la main-d'œuvre, par le relèvement du tarif des eaux et les plus fortes sommes à payer en francs pour l'électricité dont le tarif est établi en pesetas.

L'augmentation sur le reste du budget est de 2,150,000 fr. répartie entre le personnel, la douane et le matériel des différents Départements; ce sont là des dépenses inévitables.

Ces augmentations qui nous ont été imposées par la diminution de la valeur acquisitive de notre monnaie ont été rendues possibles, sans mettre notre budget en déficit et sans nouvelles impositions, par le supplément de recettes sur celles de 1926 (suppléments dus à cette même diminution de valeur et par la suppression des travaux neufs).

La partie la plus intéressante de ce dernier groupe est celle du "personnel."

Le budget du personnel est augmenté pour trois raisons sur les prévisions de 1926. Nous avons eu d'abord à enregistrer le relèvement des soldes de la police, auquel nous avons fait face pour 1926 par un crédit supplémentaire en cours d'année. Le cas est le même pour la partie variable du personnel en général. J'ai prévue celle-ci à 75 pour cent dans le nouveau budget. La somme qui sera réellement dépensée dépendra non de ce que nous insérons maintenant mais des pourcentages qui seront fixés par l'Assemblée pour les différents trimestres de 1927.

Il y a aussi des augmentations de traitement. Il a été décidé depuis longtemps déjà de n'augmenter les soldes des employés qu'en fin de contrat; or, presque tous les contrats expirent à la fin du mois de mai 1927.

Evidemment, j'ai dû penser à insérer un crédit pour rendre possible certains relèvements et j'ai donné aux différents chefs de service, pour les aider à fixer les sommes à prévoir, ces directives:

Il ne peut pas être question d'un relèvement général des soldes, mais on doit seulement se limiter à deux sortes d'augmentations:

1. Faire disparaître certaines inégalités qui se sont produites au cours du premier recrutement;
2. Donner des avancements pour récompenser des agents réellement méritants ou ayant à assumer des responsabilités supplémentaires au cours des deux années écoulées. Le nombre de ces derniers devrait être restreint et limité à des cas vraiment exceptionnels.

Pour guide, j'ai indiqué qu'une demande de crédit qui dépasserait pour les sept mois à partir de juin 3 pour cent sur l'article personnel, me paraîtrait excessive. Les crédits que j'ai admis dans ce but dans ce projet de budget sont conformes à ces pensées et représentent une augmentation d'un peu plus d'un ½ pour cent sur le budget entier pour 1927, soit environ 1 pour cent quand ils seront appliquables pour une année entière, en 1928.

Avant de quitter le sujet *personnel*, je dois remarquer aussi que j'ai prévu un personnel pour la perception des "Droits aux Portes." Je regrette de vous dire que cette question qui nous a tant tracassé n'est pas encore entièrement réglée.

Voici la position. Le nouveau tarif et le règlement voté par l'Assemblée ont été promulgués mais n'ont pas encore été publiés au "Bulletin." Au moment du vote, l'Assemblée a décidé que la perception pourrait être faite au moyen du "cordon statistique" de douane. Elle pensait que ce cordon serait établi comme résultat de l'accord douanier avec la zone espagnole. En conséquence, on n'a pas donné suite au projet de règlement pour une nouvelle mise en adjudication pour affermage, ni envisagé la création d'un service de perception par l'Administration elle-même.

Or justement ce cordon n'a pas été établi et je crois qu'avant de mettre en vigueur le nouveau tarif il faut reprendre cette question. J'ai prévu dans ce budget le personnel nécessaire afin de provoquer la décision, si l'Assemblée décide un affermage, il disparaîtra; si non, il faudra le créer.

Comme résumé de la question "personnel" en comptant les augmentations, et le service des droits aux portes, le total dépensé "personnel" (à part la gendarmerie non encore créée), représente 22 pour cent du budget. Déduction faite de ceci, il nous reste 17,751,000 fr. pour toutes les autres dépenses budgétaires. Nous avons doté les budgets des Services des Travaux publics de 7,681,067 fr. ou environ 43 pour cent de nos ressources disponibles.

Le reste est distribué de la manière suivante:

	Francs.
Justice	891,000
Bureau de l'Assemblée	190,002
Administration générale	380,925
Contribution aux dépenses de l'Administration indigène	125,000
Gendarmerie	1,500,000
Service pénitentiaire	134,725
Finances	1,458,685
Douanes	1,915,000
Dépenses diverses d'intérêt général	198,000
Hygiène et Assistance	1,020,825
Police municipale	1,692,000
Imprévus	100,000

Vous pouvez maintenant, Messieurs, apprécier la position budgétaire pour 1927. Même en déduisant à l'extrême minimum les augmentations à prévoir pour le personnel en limitant les travaux publics à l'entretien et à quelques améliorations de première urgence, et enfin en supprimant entièrement les travaux neufs, nos dépenses atteignent presque le chiffre de nos recettes probables. Que faire? Nous avons le fonds de réserve; j'y prévois une somme oscillant entre 4 et 5 millions à la fin de l'exercice 1926 grâce aux deux premiers budgets si favorables pour la zone. Nous pouvons donc réaliser au cours de 1927, et des années suivantes, des travaux neufs.

Je propose à l'Assemblée d'examiner la question du programme de ces travaux entièrement en dehors du budget, et, après examen attentif, que soient mises, à part des sommes avec affectations spéciales pour l'exécution des travaux qu'il aurait été décidé d'effectuer et que ces travaux soient échelonnés sur quelques années: il ne faut pas dépenser toute cette réserve dans un seul exercice et dans les circonstances actuelles, il est fort peu probable que les sommes dépensées sur ce fonds seront remplacées, d'ici quelques années. Je crois qu'il serait sage de ne pas dépenser plus de 2,000,000 environ pour 1927.

En tout cas, notre position pour 1927 n'est pas mauvaise; notre budget courant nous permet un entretien satisfaisant et les ressources que nous avons accumulées en 1925 et 1926 nous permettront d'exécuter des travaux neufs. Mais pour l'avenir, dans les budgets de 1928, 1929 et suivants, nous aurons à trouver au moins un million en plus pour le port, environ (? ? ?) pour le Tanger-Fez. D'après les renseignements que j'ai eus et il y a à prévoir une progression normale dans les service de la ville, hygiène, &c., le port et le Tanger-Fez, à eux seuls, rompent l'équilibre de notre budget d'entretien de 1927 et le mettent en déficit. Le fonds de réserve n'est pas un réservoir inépuisable.

Nous aurons donc à chercher de nouvelles ressources à l'avenir. A mon avis, il ne faut pas demander de nouveaux efforts aux contribuables avant qu'il y ait nécessité absolue. C'est pour cette raison que je n'ai pas proposé de nouvelles taxes dans ce budget de 1927 et que je me suis limité à un budget d'entretien avec des travaux neufs à payer sur la réserve.

Comment allons-nous affronter les années à venir—années difficiles que j'ai toujours prévues?

Quand j'ai présenté les budgets de 1925 et 1926, vous vous souviendrez que j'ai dit que notre heureuse position s'était due qu'au fait que nous avions un moment pour prendre haleine avant d'être chargés des fortes dépenses dues au port et au chemin de fer. Quels espoirs avons-nous pour ces années?

Premièrement, nous supposons que le port et le chemin de fer vont nous rapporter une contre-valeur représentée par une prospérité croissante, une nouvelle confiance et une reprise des affaires dans la ville, ce qui nous permettra de faire face aux nouvelles taxes qui seront vraisemblablement nécessaires. Il faut espérer que ce retour et cette augmentation de confiance et de mouvement seront aidés et renforcés par l'éclaircissement de la situation politique; je crois que le fait même d'une solution stable, une fois pour toutes, aura un effet bienfaisant.

La solution de la question des jeux seule pourrait nous donner des ressources importantes, directes et indirectes.

Pour finir, notre situation financière se déroule comme nous l'avions prévu dès le début. Au commencement, un excédent, les années suivantes plus difficiles, en attendant que notre ville prenne l'essor de prospérité que nous lui souhaitons quand elle aura son port et son chemin de fer en plein fonctionnement.

Grâce à nos deux premiers exercices, nous avons de quoi amortir le choc de l'arrivée des années maigres—rendues plus maigres encore par des causes indépendantes de nous—et qui ont résulté d'une diminution de la valeur acquisitive de notre monnaie. Il faut envisager les années maigres courageusement et sérieusement; le pessimisme entraînerait la réalisation de ses propres craintes, l'optimisme pondéré et raisonné est mon attitude. Nous avons encore 1927 avec un budget et des ressources, je crois, très satisfaisantes, profitons-en.

Le projet de budget de 1927, Messieurs, est entre vos mains.

E. V. DICKEN.

[W 10841/10584/28] No. 68.

Sir Austen Chamberlain to Sir R. Graham (Rome).

(No. 1622.)

Sir, *Foreign Office, November* 19, 1926.

THE Italian Ambassador repeated to me to-day the assurance given to your Excellency by Signor Mussolini that the Italian Government would not at this moment raise the question of an Italian Post Office at Tangier, whilst reserving their right to do so on a future occasion. I was under the impression that the Italian Government based their claim upon the Statute, and I observed that they could not found a claim upon a document to which they had not adhered. The Ambassador replied that they derived their rights from the Capitulations. We agreed that it was unnecessary for us to discuss the question now, but I reserved my right to form a judgment on the claim if ever it was raised.

From this subject the Ambassador passed to the communication which you had made to Signor Mussolini on the subject of military control in Germany, and I developed to him more fully the reasons for which His Majesty's Government desired to terminate the inter-Allied control and to pass the matter over to the League of Nations.

Finally, the Ambassador asked about Turco-Soviet relations, and I gave him a bowdlerised account of my conversation with the Turkish Ambassador emphasising however the suspicions which the Turkish Government entertained of Italian policy and laying stress upon the fact that the Turkish tendency to turn to the Soviet arose from their fear of Italy.

I am, &c.
AUSTEN CHAMBERLAIN.

CHAPTER III.—SURVEILLANCE OF MOROCCAN WATERS.

[W 7079/5/28] No. 69.

The Marquess of Crewe to Sir Austen Chamberlain.—(*Received August* 3.)

(No. 1436.)

HIS Majesty's representative at Paris presents his compliments to the Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a note from the French Ministry for Foreign Affairs forwarding a memorandum respecting surveillance in Moroccan waters.

Paris, August 2, 1926.

Enclosure 1 in No. 69.

Note from French Ministry for Foreign Affairs.

A LA date du 2 juillet 1925, le Gouvernement français, d'accord avec le Gouvernement espagnol, avait adressé aux Puissances intéressées deux avis relatifs aux mesures concertées entre les deux Gouvernements en vue d'assurer conjointement la surveillance maritime des côtes du Maroc.

A la suite d'un nouvel examen de la situation, les deux Gouvernements ont estimé que le retour au droit commun était désormais possible, et ils ont constaté leur accord dans le mémorandum ci-joint, dont les dispositions entreront en vigueur le 1er août 1926.

Paris, le 29 juillet 1926.

Enclosure 2 in No. 69.

Mémorandum au sujet de la Surveillance maritime des Côtes du Maroc, à partir du 1er Août 1926.

AU large du littoral des territoires français et espagnols, tant de souveraineté que de protectorat, situés au nord et à l'ouest de l'Afrique et compris entre la frontière algéro-marocaine, 2° 13′ de longitude ouest de Greenwich, et l'embouchure de l'Oued Draa, 28° 41′ de latitude nord, les bâtiments de guerre français et espagnols assureront respectivement dans les zones française et espagnole et conjointement entre l'Oued Bou Sedra et l'Oued Draa, c'est-à-dire entre les parallèles de 29° 31′ nord et 28° 41′ nord. la stricte observation des dispositions internationales et des règlements interdisant, d'une part, tout accès des côtes marocaines en dehors des ports ouverts, et, d'autre part, toute importation d'armes, de munitions et de matériel de guerre au Maroc. Dans l'ensemble de ces côtes, la surveillance est limitée aux 6 milles des eaux territoriales avec droit de suite hors de cette limite.

A cet effet desdits bâtiments surveilleront et visiteront, s'il y a lieu, conformément aux usages internationaux en pareille matière, tous les navires qui seraient soupçonnés pour des motifs raisonnables de contrevenir aux prescriptions visées. Cette surveillance portera aussi bien sur les armes, les munitions et le matériel de guerre que sur les marchandises suspectes d'être dirigées sur les ports ou les mouillages naturels non ouverts au commerce.

La surveillance maritime dans les eaux territoriales de Tanger continuera à s'exercer conformément aux stipulations de l'article 4 de la convention du 18 décembre 1923.

Les bâtiments et embarcations qui seront reconnus par les bâtiments de surveillance comme se livrant au trafic des armes, munitions, matériel de guerre et marchandises suspectes d'être dirigées sur des ports ou mouillages naturels non ouverts au commerce seront déférés à la juridiction locale compétente.

La présente communication annule et remplace les communications du 2 juillet 1925 sur le même sujet.

[W 7079/5/28] No. 70.

Foreign Office to Admiralty and Board of Trade.

Sir, *Foreign Office, August* 10, 1926.

WITH reference to the letter from this Department of the 22nd July, 1925, I am directed by Secretary Sir Austen Chamberlain to transmit herewith, for the consideration of the Lords Commissioners of the Admiralty and Board of Trade, a copy of a despatch from His Majesty's Ambassador at Paris enclosing a note in which the French Government notify a modification in the Franco-Spanish Agreement regarding the surveillance of the Moroccan coast.

2. It will be seen that the new arrangements differs but slightly from that which has been in force since July 1925. The Secretary of State proposes, with the concurrence of the Lords Commissioners of the Admiralty and Board of Trade, merely to acknowledge the receipt of the communication from the French Government, and to repeat the formal reserve made in Sir Austen Chamberlain's note to the French and Spanish Ambassadors of the 23rd July, 1925, that His Majesty's Government only consent on the understanding that the arrangement does not prejudice the principle of the 3-mile limit or constitute any implied definition of the extent of territorial waters.

I am, &c.
G. H. VILLIERS.

[W 7915/5/28] No. 71.

Board of Trade to Foreign Office.—(*Received August* 24.)

Sir, *Board of Trade, August* 23, 1926.

WITH reference to your letter of the 10th August respecting a modification in the Franco-Spanish Agreement regarding the surveillance of the Moroccan coast, I am directed by the Board of Trade to state, for the information of Secretary Sir Austen Chamberlain, that they concur in the proposals contained in your letter.

I am, &c.
C. H. GRIMSHAW.

[W 8051/5/28] No. 72.

Admiralty to Foreign Office.—(*Received August* 28.)

Sir, *Admiralty, August* 26, 1926.

WITH reference to your letter of the 10th instant enclosing a copy of a despatch from His Majesty's Ambassador, Paris, regarding the notification by the French Government of a modification in the Franco-Spanish Agreement regarding the surveillance of the Moroccan coast, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for Foreign Affairs, that they concur in the action which it is proposed to take in this matter.

I am, &c.
V. BADDELEY.

[W 8051/5/28] No. 73.

*Sir Austen Chamberlain to the Marquess of Crewe (Paris).**

(No. 2550.)

My Lord Marquess. *Foreign Office, September* 7, 1926.

I HAVE received your Lordship's despatch No 1436 of the 2nd ultimo enclosing a copy of a communication from the French Government notifying a modification in the Franco-Spanish agreement of 1925 in regard to the surveillance of the Moroccan coast. An identic communication has reached me from the Spanish Government.

2. It will be within your recollection that His Majesty's Government only agreed to the arrangement made in 1925 subject to the formal reserve that that arrangement

* Also to Sir H. Rumbold (Madrid), No. 400, *mutatis mutandis*.

did not in any way prejudice the principle of the 3-mile limit or constitute any implied definition of the extent of territorial waters.

3. I request that you will formally acknowledge the receipt of the French note and will at the same time repeat the above reserve to the French Government.

4. A similar despatch has been sent to His Majesty's Ambassador in Madrid.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 10176/76/28] No. 74.

Admiralty to Foreign Office.—(Received October 30.)

Sir, *Admiralty, October 29, 1926.*

WITH reference to Admiralty letter of the 15th ultimo regarding the participation of His Majesty's ships in the surveillance off Tangier, I am commanded by my Lords Commissioners of the Admiralty to request that they may be informed when, in the opinion of the Secretary of State for Foreign Affairs, the political necessity for the patrol ceases to exist, as, apart from purely political reasons, there would appear to be no reason for its continuance.

I am, &c.
CHARLES WALKER.

[W 10176/76/28] No. 75.

Sir Austen Chamberlain to Mr. Holman (Paris).

(No. 3094.)

Sir, *Foreign Office, November 4, 1926.*

YOU will recollect that in July 1925 an agreement was reached between the British, French and Spanish Governments for the despatch of a joint naval patrol to the territorial waters of the Tangier zone to ensure the suppression of such traffic in arms as might exist. The immediate cause of the agreement was the unrest among the tribes on the Tangier border and the complaint of the Spanish Government that arms were reaching the rebels through the international zone.

2. The return to normal conditions throughout Morocco, and in particular the gradual pacification of the Spanish zone, appear to render the maintenance of a regular naval patrol off Tangier wholly unnecessary. In the circumstances His Majesty's Government propose to discontinue the regular patrol and to revert to the arrangements existing before the conclusion of the agreement in 1925.

3. I request that you will notify the French Government of the intention of His Majesty's Government in this respect.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 10176/76/28] No. 76.

Sir Austen Chamberlain to Sir H. Rumbold (Madrid).

(No. 473.)

Sir, *Foreign Office, November 4, 1926.*

YOU will recollect that in July 1925 an agreement was reached between the British, French and Spanish Governments for the despatch of a joint naval patrol to the territorial waters of the Tangier zone to ensure the suppression of such traffic in arms as might exist. The immediate cause of the agreement was the unrest among the tribes on the Tangier border and the complaint of the Spanish Government that arms were reaching the rebels through the international zone.

2. The return to normal conditions throughout Morocco, and, in particular, the gradual pacification of the Spanish zone, appear to render the maintenance of a

regular naval patrol off Tangier wholly unnecessary. In the circumstances His Majesty's Government propose to discontinue the regular patrol and to revert to the arrangements existing before the conclusion of the agreement in 1925.

3. I request that your Excellency will notify the Spanish Government of the intention of His Majesty's Government in this respect.

I am, &c.
AUSTEN CHAMBERLAIN.

[W 10176/76/28] No. 77.

Foreign Office to Admiralty.

Sir, *Foreign Office, November 5, 1926.*

I AM directed by Secretary Sir Austen Chamberlain to acknowledge the receipt of your letter of the 29th ultimo, and to state that he agrees that there is no reason for the continuance of the British naval patrol in the territorial waters of Tangier.

2. I am to enclose a copy of a despatch to His Majesty's Ambassador at Madrid and His Majesty's Chargé d'Affaires at Paris instructing them to make a communication in this sense to the Governments to which they are accredited. It would be well to wait a short while before issuing the instructions for the discontinuance of the patrol.

I am, &c.
G. H. VILLIERS.

PUBLIC RECORD OFFICE, LONDON

CHAPTER IV.—MISCELLANEOUS.

[W 7338/5/28] No. 78.

The Marquess of Crewe to Sir Austen Chamberlain.—(*Received August* 10.)

(No. 1487.)

Sir, *Paris, August* 9, 1926.

THE recent Franco-Spanish Agreement, the signature of which on the 13th July was reported in my despatch No. 1332 of the 17th July, presumably indicates the bases on which the French and Spanish Governments intend, or at all events hope, to organise the Riff. As explained in my above-mentioned despatch, the text of this agreement has not yet been made public, and the full extent of its provisions are therefore not known. In the meantime, however, it may perhaps be useful to recall to mind the terms upon which the French and Spanish Governments were originally prepared to make peace with Abd-el-Krim, to show how these conditions became modified during the course of time, and to contrast the situation, which might have arisen had Abd-el-Krim accepted these terms, with the situation as it is now, or rather as it is likely to become, when the present still-disturbed state of affairs in North Morocco has come to an end, and the provisions of the Franco-Spanish Agreement of the 13th July have been put in force.

2. As you will recollect, the original peace terms, which the French and Spanish Governments declared themselves ready to offer to Abd-el-Krim, were drawn up on the Madrid Conference in July 1925. It was, however, not until October, when M. Painlevé enumerated them in the course of a speech at Nîmes, that they actually became known to the general public in France. These terms were as follows :—

(1.) The French and Spanish Governments would offer the tribes of the Riff and the Jebala all measures of autonomy, which were compatible with the treaties governing the status of the Shereefian Empire.

(2.) The two Governments were ready to enter into negotiations with Abd-el-Krim, with a view to establishing the new régime foreshadowed in the preceding paragraph. Acceptance by the Riffians of the following conditions was, however, essential :—

(1.) There should be a mutual exchange of prisoners.
(2.) There should be a reciprocal amnesty.
(3.) The régime of administrative autonomy must be clearly defined.
(4.) The area to be placed under this new régime must be clearly defined.
(5.) A police force within this area must be organised.
(6.) Freedom of commerce must be permitted.
(7.) Arms traffic must be suppressed.
(8.) An area on the coast must be allotted to Spain.

3. As you are aware Abd-el-Krim refused to consider these terms, and hostilities continued throughout the winter. The uncompromising attitude of Abd-el-Krim in this connection did not make the French Government any less desirous of reaching a peaceful solution of the problem as soon as possible, always provided that the terms of peace were such as to afford a reasonable guarantee against a recurrence of similar trouble in the future. M. Briand made it clear on more than one occasion in the Chamber in the winter months that the French Government did not consider that the fact that Abd-el-Krim had refused to consider the Madrid Conference implied that the offer made by the French and Spanish Governments had lapsed. It became clear, however, as active military operations began again in the spring, and as the French and Spanish troops started to gain ground at the expense of the Riffians, that the French Government intended to adopt a firmer attitude and to insist on more severe terms of peace Thus, M. Briand, speaking in the Chamber of Deputies on the 29th March, admitted that the Madrid terms had been altered to the extent of providing more effective safeguards for the integrity of the French zone. More explicit or detailed information was not forthcoming. In this connection it must be remembered that the Madrid terms had been drawn up at the time when the military situation in Morocco was, as far as the

French were concerned, at its worst, when the Socialist opposition in Parliament was very active and when M. Painlevé was still President of the Council. On the other hand, the appointment of M. Steeg clearly tended to accelerate an early solution of the problem, since the new Resident-General was, for internal political reasons, anxious to bring about peace at an early date.

4. No surprise was therefore caused when, at the beginning of April, it was learnt that various unofficial communications had lately been passing between the French authorities in Morocco and Abd-el-Krim, and that meetings were being held in Paris between M. Briand, M. Painlevé, M. Steeg and Marshal Pétain to discuss the possibility of opening negotiations with the Riffians. It was eventually announced on the 9th April that the French and Spanish Governments had decided to enter into negotiations with Abd-el-Krim, and that a conference would shortly open at Oudjda.

5. Before, however, taking this decision, the French and Spanish Governments agreed that they would insist on the acceptance of the following conditions as a *sine quâ non* of any peace settlement :—

(1.) Submission of Abd-el-Krim and the tribes to the Sultan.
(2.) Removal of Abd-el-Krim from Morocco.
(3.) Disarming of the tribes.
(4.) Return of all prisoners.

6. On the other hand, the following concessions were apparently, according to the " Matin " of the 12th April, to be offered to the Riffians :—

(1.) The Riff to be granted administrative autonomy, subject to the suzerainty of the Sultan.
(2.) Considerable economic concessions to be made to the tribes.
(3.) The existence of some sort of armed force in the Riff to be permitted.

7. Three further conditions were made known to the Riffian delegates on their arrival at Camp Berteaux on the 18th April :—

(1.) The suspension of all fighting.
(2.) The immediate exchange of prisoners.
(3.) The advance of the French and Spanish troops to a depth of some 7 kilom.

8. The French and Spanish delegates at first insisted that the Riffians must accept these three conditions prior to being permitted to take part in the conference proper at Oudjda, where the other and more purely political conditions would be discussed. This demand was not, however, insisted on, and the Oudjda Conference duly opened a few days later.

9. You will remember that Abd-el-Krim obstinately refused to authorise his delegates to accept the terms offered to them, and that the negotiations were broken off, and hostilities resumed on the 6th May. So successful were the joint French and Spanish operations that, after a half-hearted attempt to reopen negotiations with the French, of which no notice was taken, Abd-el-Krim surrendered unconditionally on the 26th May to the French forces.

10. In consequence of the surrender of Abd-el-Krim, representatives of the French and Spanish Governments met in Paris early in June to discuss what plans should be adopted for the future organisation of the Riff. The outcome of this conference in Paris was an agreement which was signed on the 13th July by M. Briand and General Primo de Rivera. As explained above, the actual terms of this agreement are as yet unknown. An official communiqué issued by the Quai d'Orsay on the 14th July, however, gave the following information regarding the agreement :—

(i.) Steps will be taken to begin the delimitation of the frontier between the French and Spanish zones, no modification, however, being made in the terms of the 1912 treaty.

(ii.) Arrangements are to be made for the effective maritime supervision of the coast of Morocco.

(iii.) Special arrangements will be made for the administration of the areas lying along the frontier between the two zones. In this connection, a mutual " droit de suite " will be granted to each Power to enable them to deal effectively with recalcitrant tribes.

(iv.) The two Governments, while maintaining their independence of action in their own protectorate, in accordance with the terms of the existing treaties, will collaborate closely and will act as far as possible on parallel lines in their respective zones.

(v.) Abd-el-Krim is to be removed from Morocco.

11. The " Petit Parisien " of the 11th July announced that, in addition, the Spanish Government had undertaken to occupy the whole of its zone; no mention, however, of this undertaking is made in the official communiqué issued by the Ministry for Foreign Affairs. It would seem, however, most probable that even if the French Government did not obtain so wide a promise from the Spaniards, they must have insisted on some sort of guarantee being forthcoming that steps would be taken so to organise and administer the Spanish zone that the events of the last few years should not recur, and that it should no longer be possible for a tribal leader in the Spanish zone to invade the French protectorate.

12. It would thus appear that, provided the operations still continuing in the Riff be brought to a successful termination and that those tribes still holding out be effectively subdued and pacified, the French will have every reason to be satisfied with the result of their campaign against Abd-el-Krim—a campaign which, it must be remembered, was none of their seeking, and on which they were forced to embark in order to defend the French protectorate. In the first place, Abd-el-Krim himself will have been removed from the zone, and the threat to the general security which his continued presence in North Africa will have meant would have been dispelled. In the second place, the French will have obtained some sort of guarantee from the Spaniards ensuring that steps will be taken in the Spanish zone to prevent any incident occurring which might threaten the security of the French protectorate. When it is recollected that the Spaniards were recently contemplating withdrawing to the coast and leaving the tribes in the interior practically to their own devices, the advantage of this guarantee to the French is obvious. Thirdly, it will now be possible properly to define the frontier between the two zones. Fourthly, the French prestige both in North Africa and at home has been greatly increased by the outcome of the campaign. Finally—and from some points of view, this is perhaps the most important point of all—the Riffian question, which had at one time threatened completely to disturb the *status quo* in North Africa and to reopen the whole of that thorny question for international discussion, has been settled without in any way altering the existing treaties or affording an opportunity for intervention by any third party. How anxious the French Government were to prevent any such possible intervention is well demonstrated by certain of the passages in the recent Quai d'Orsay memorandum regarding Italian adherence to the Tangier Statute, a copy of which was enclosed in my despatch No. 1467.

13. This satisfactory picture would have been very different had Abd-el-Krim accepted the terms drawn up in July 1925 and offered to him shortly afterwards. In the first place, there would have come into existence some sort of autonomous State in the Riff owing allegiance, it is true, to the Sultan, but in all probability very largely independent. The head of this State would no doubt have been Abd-el-Krim, who, whatever might have been his formal undertakings, would hardly have been likely to allow his ambitions to be curbed by any promise of submission to the Sultan. The existence of such an autonomous State in North Africa and the continued presence of Abd-el-Krim in the Riff would have been bound to have caused very serious embarrassment to the French, and would, in effect, have constituted a continual menace to the security of the French protectorate. Even though arrangements might have been made to suppress the arms traffic and to organise the police force in the autonomous area, it would probably in practice have proved difficult to exercise any effective control. Even though it was expressly provided in the Madrid terms that the creation of this antonomous State must not conflict with the terms of the existing treaties covering the situation, yet it might in fact have proved difficult to ensure that no infringement of the treaties took place. In any case, the existence of such an autonomous State, which, from the nature of things, would have been bound to have been hostile both to the French and Spanish Governments, would have tended to invite interference in the affairs of North Africa by third parties, and would have considerably increased the forces tending towards a revision of the 1912 treaties.

14. The Riffians no doubt lost a golden opportunity by not accepting the Madrid terms, but even the terms offered to them at Oudjda were still very favourable. It is true that the acceptance of these conditions would have involved the exile

of Abd-el-Krim, but, on the other hand, some form of autonomy was still to be granted to the tribes, who were, in addition, to be accorded the right of maintaining some sort of armed force in the Riff. From the French point of view, the Oudjda terms were more satisfactory than those drawn up at Madrid, in so far as they provided for the banishment of Abd-el-Krim. On the other hand, they still permitted the setting up of an autonomous State, which, as pointed out above, would have been likely not only to have become a permanent menace to the security of the French zone, but also to have involved a revision of the 1912 treaties. The obstinacy and short-sightedness of Abd-el-Krim, however, saved the situation for the French, who can now, it would seem, for the reasons given above, view the future with reasonable equanimity. The Spanish Government, whose prestige, after having been at so low an ebb, has now been practically restored, are no doubt equally pleased with the result of the campaign, and even the Riffians themselves, although their visions of independence—if, indeed, they ever genuinely had any such aspirations—have vanished, may find that a moderately quiet life under the ægis of the French or Spanish protectorates is preferable to a more exciting, but more precarious, existence under the banner of Abd-el-Krim.

I have, &c.

(In the absence of the Ambassador),

ERIC PHIPPS.

[W 8831/5/28] No. 79.

Mr. Clive to Sir Austen Chamberlain.—(*Received September* 16.)

(No. 212.)

Sir, *Tangier, September* 8, 1926.

WITH reference to Mr. Bond's despatch No. 120 of the 3rd June, I have the honour to forward to you herewith a despatch* from the acting British consul in Tetuan in which he describes the recent progress made towards the pacification of the Spanish zone and attempts to appreciate the present situation.

2. The present year has undoubtedly brought the most spectacular and important successes that have ever attended Spanish arms in Morocco. It is true that these successes only began after last year's Franco-Spanish Conference at Madrid, and that they must be very largely attributed to French co-operation. At the same time Spain's readiness to strike was mainly due to the wise, if somewhat ignominious, policy of withdrawal and consolidation which General Primo de Rivera initiated in the autumn of 1924, and her efficacy in doing so sprang from the new efficiency and improved *moral* which the President of the Directory had succeeded in instilling into the Spanish army. The first Spanish success was the landing at Alhucemas Bay in September 1925 which led to Abd-el-Krim's evacuation of his headquarters at Ajdir. It is true that, at the zenith of his power at midsummer 1925, Abd el-Krim had continued as throughout the year to direct his full force against the French to the south. Nevertheless, the Spanish landing, coupled with simultaneous French successes of a less spectacular nature, marked the waning of Abd-el-Krim's power. Franco-Spanish hopes for 1926 were therefore high. Minor actions early in the year seemed to justify them, but, before any operation on a large scale could be launched, in April Spain found herself constrained by French influence, and mainly by that of the French Resident-General himself, to treat at Oujda with the enemy. I believe it to be true to say that the attitude adopted by the Spanish delegates at this conference and their firm belief in the weakness of the tribes in large measure caused the breakdown of the negotiations. Much of the credit for the fruits of the succeeding campaign is therefore due to Spain.

3. The Spanish attack launched from Ajdir on the 8th May had by the 20th May brought the advancing troops into contact on the Wad Nekkor with Franco-Spanish columns moving from the south-east. The Riff country had for the first time been crossed in effective force. Abd-el-Krim's headquarters at Targuist were occupied on the 24th May, and on the 27th May Abd-el-Krim surrendered himself to the French. With the loss of its leader the confederation of Riff tribes was dissolved and tribal resistance, which except at the outset had been weak, gradually disappeared. Submission was made to the French by nearly all the tribes and the Riff has since remained quiet.

* Not printed.

4. The Jebala confederation, and to a lesser extent the Ghomara tribes, had often kicked against the pricks of Abd-el-Krim's coercion and had thus earned the undeserved stigma of having no heart for battle and of being the weaker brethren of the warlike Riffi On the downfall of Abd-el-Krim they hastened to drive out the remnant of their Riffi oppressors, but they showed that so far as they were able they were not averse from continuing the struggle against Spain alone. Since the captivity and death of Raisuli, however, no great leader had arisen in the west to take his place. The withdrawal of Abd-el-Krim's overshadowing influence thus left the western tribes with no one to whom to turn. Various Shereefs of advanced age had the necessary prestige to qualify them for leadership, but they were all too feeble to take the field. Khaled, Raisuli's son, borrowed some prestige from his father's name but was too young to be an effective chief. Minor leaders like the Bakkali and Wuld Said had neither the prestige and intelligence nor the spirit for the task. There was only Khareirou, a young man of low origin who had learned some of the tricks of leadership while in Raisuli's service, and had turned against his master aud robbed him in the hour of his defeat and capture. Khareirou was most unsuitable as a leader of the western tribes, and indeed he has not achieved that position. He seems to lack the mental grasp necessary to organise resistance on a large scale, but, nevertheless, he has a quick intelligence and has earned such a reputation for fearlessness that he is always assured of a following. Moreover, his hatred for the Spaniards and his long series of daring exploits against them, offer a guarantee to his followers that he will never surrender himself and betray them. In spite of his limitations, Khareirou alone seems capable of taking anything wider than a local tribal view of the situation. Now reported to be in Beni Hassan, he moves from district to district, organising and leading minor expeditions against isolated Spanish forces or against tribes which have surrendered themselves and their arms to Spain. Apart from Khareirou's unsustained influence, the tribal resistance depends now only on local feeling and on local leadership.

5. The fact that the reduction of the Riff was not automatically followed by the surrender of the Jebala and Ghomara groups did not deter the Spanish command from endeavouring to obtain their submission. While not prepared to launch a major operation or to force the pace, General Sanjurjo stated that he must sweep the Spanish zone from end to end. After the successful issue of the Riff campaign, the first Spanish effort was directed against the Ghomara. Columns moved westward along the coast receiving tribal submissions as they went, and by the middle of July the Ghomara country had been crossed. Tho Wad Lau was passed and on the 24th July touch was established with the Spanish posts at Rio Martin. For the first time Spanish forces had traversed the entire Mediterranean coast line of the zone. Early in August a triple advance was made towards Sheshawan from Laraiche, Tetuan and the region of the Wad Lau. A column under Colonel Capaz which had crossed the Ghomara country entered the town on the 10th August, the Tetuan columns joining it there on the following day. On the 15th August the Laraiche force reached Sheshawan, having advanced by way of Mesherah which had fallen earlier in the month. This marked the first occasion on which Spanish troops had reached Sheshawan from the west; even during the four years of its first occupation all attempts to do so had failed. During these operations in the Ghomara and Jebala districts no serious resistance was encountered and the casualties suffered were slight.

6. Spanish arms have thus won a glowing series of successes throughout the zone. Perhaps by reason of the long years of failure that had preceded these successes, there is, however, a tendency to exaggerate their scope and their probable effect. It is, indeed, frequently stated that the Spanish-Moroccan war is at an end and that full and final pacification of the zone has at last been achieved. This is certainly by no means yet the case, and it is very doubtful whether such a happy result can even be considered to be at hand.

7. The present position in the Spanish zone is certainly better than it has ever been since 1911. Nevertheless, although the Riff has been traversed, tribes like the Senhadja Serir are already recalling that they made submission to France and not to Spain, and are showing unwillingness to accept Spanish interference. The successful march along the Ghomara coast did not penetrate far inland, and a large part of the Ketama tribe is still in open dissidence, as are the Beni Khaled in the southern Jebala. In the Jebala proper successful advances have been made to Sheshawan, but only along narrow lines and few tribal submissions have been obtained. Some measure of peace has been brought. The few existing roads are safer and are left open until a later

hour than formerly. After-dinner parties have been held at the Hipica, half a mile outside the walls of Tetuan, but only on rare occasions and with special guards set out. Meanwhile Spanish columns are continuing to move through the Jebala district seizing arms where they can, and Khareirou, who in spite of them remains at liberty, is still free to effect his unexpected *coups* against the Spanish forces themselves or against the tribes that have been disarmed. It has always been rash to attempt to predict the future of the Spanish zone and it is hard to say whether the conditions, which have already so much improved, will continue to do so or whether they will immediately revert to the state of chaos which has so recently passed. In forming a judgment on this question I believe the principal consideration to be the undoubted present weakness of the tribes. Long years of war have left them with few men of fighting age. In recent actions boys of 14 have been given rifles and placed in the front of battle. Even the tilling of the land has been neglected and, with the pressure of the blockade, the pinch of want has been seriously felt among the tribes. Their condition has been wretched and, for the moment, they are tired of war. In the absence of any leader who can make the tribes fight to the last extremity, it may well be therefore that the next few months will bring the dissolution of the few blocks of resistance that remain. I do not believe that the spirit of resistance will die or that the hatred for Spain will disappear but it may be driven underground, to find expression from time to time only in isolated acts of brigandage, and for two or three years Spain may be relieved from the necessity of important operations in Morocco.

9. It is still more difficult to take a larger view and to say whether the period of comparative peace which I have indicated as probable will be the prelude to the final pacification of the Spanish zone. So much must depend on the policy of the Spanish Government itself. In considering the question it is useful to examine the causes of the present success. The first of these is the complete exhaustion of the tribes. This condition must however pass. Even in their present state of weakness the tribes have shown that they would fight so long as they had a leader to urge them on. After a period of rest they will probably, without any coercion, answer the call of the first leader who presents himself. The very ease with which notable successes have been won against the Jebala, who a few months ago were threatening Tetuan itself, points rather to a semi-voluntary cessation of hostilities than to the acceptance of final defeat. In the Riff heavy casualties were at first suffered and inflicted, but even there the position would seem to be much the same. Another cause of the break-up of the tribes was the energetic intervention of the French. It was finally felt that, however successfully resistance might be offered to Spain, there was little chance of victory against a first-class military Power. In spite of the Pact of Madrid and of the arrangement recently made in Paris, it is doubtful whether the co-operation of France would be forthcoming in any future trouble, unless the northern frontier of her zone were definitely threatened, or that the tribes would be deterred by fear of it. A third condition leading to the recent series of successes has been the new enthusiasm with which General Primo de Rivera has inspired his army. It may. however, be permitted to doubt whether any Spanish enthusiasm can last for long, or indeed, in view of the latest news from Spain, whether there are not already signs that the authority of the President of the Council himself has not been shaken.

10. It seems, therefore, that the recent successes have been due to what may be regarded as ephemeral circumstances and that, given the spirit of rebellion, the conflict must later break out anew. It remains to be seen whether Spain can take advantage of the present favourable situation to render this impossible. It is now wisely a cardinal point of Spanish policy that all the tribes must be disarmed. I understand that all the rebel artillery and some 25,000 rifles out of an estimated 50,000 have already been seized. It is doubtful, however, whether it will be possible to ensure a total surrender of rifles, many of which will be jealously hidden away, or, without an effective occupation of the country, to prevent the replenishment of the stock by contraband or capture as before. It is still early to say to what extent the Spaniards will occupy their zone. Their lack of interest in it seems to have been illustrated by the threat, albeit perhaps an empty one, to abandon their zone altogether unless Tangier be incorporated in it. More serious official pronouncements indicate that the zone of effective military occupation will only be extended slightly, if at all, from the districts which were in Spanish hands before this year's campaign began. It is not intended to re-establish posts such as those which proved so costly in 1924. It seems likely that the policing of the interior will be precariously left to mobile native columns. The importance of building good roads as a means to the pacification of the country seems to have been realised, and I understand that some progress has been

made in this direction in the lower-lying districts of the Riff. It is not likely, however, that this work will be brought to an effective conclusion unless commercial interests should appear to demand it. The much discussed mines of the Riff might provide the necessary encouragement, but too little is known of them for this probable influence to be measured now. No hope of ordinary commercial or agricultural gain would induce Europeans to venture beyond the limits of military protection and into the ungrateful country of the hills.

11. It seems improbable, therefore, that Spain will make an effective occupation of her zone and that its final pacification will be assured. The present situation can perhaps best be described as a lull in a war which has been intermittently raging for the past fifteen years. It is true that this lull may be expected to last for two or three years, unbroken by any military action worthy of the name, and that it is scarcely likely that the tribes will ever again attain such power as they held in 1925 when they were able to fight both France and Spain at once. Nevertheless, I am inclined to believe that they will be strong enough to embarrass Spain alone, and I fear that Spain's Moroccan problem will always be a thorn in her side

I have, &c.
R. H. CLIVE.

[W 8792/7625/28] No. 80.

*Foreign Office to Consul-General Sir A. Ryan (Rabat).**

(No. 105.)

Sir, *Foreign Office, October* 5, 1926.

I AM directed by Secretary Sir Austen Chamberlain to acknowledge the receipt of your despatches No. 151 of the 12th August last and No. 174 of the 7th instant on the subject of the relations between the Consular Court in Morocco and the Mixed Court at Tangier.

2. The Secretary of State agrees that, although Ioannou's return to the French zone of Morocco has enabled the cases concerning him to be dealt with without further reference to the Mixed Court, it is desirable to settle the general question, and he desires me, therefore, to offer the following observations upon the numerous and difficult legal questions to which this particular case has given rise.

3. In the first place, the question was raised whether or not Ioannou should have been tried for his offence by the Mixed Court at Tangier. The exact terms of the Tangier Criminal Code have not been exhaustively investigated on this point, but it appears *primâ facie* that the Mixed Court should not in principle possess jurisdiction in respect of an offence committed entirely outside the Tangier zone. Whatever arrangements may be in force in this respect between the authorities of the French and Spanish zones on the one hand and Tangier on the other, they would not apply in the case of an offence committed outside the Tangier zone by a person within the jurisdiction of the British Consular Court for Morocco. It would have been very undesirable for the British consular authorities in Morocco to have concurred in the creation of a precedent for the exercise of criminal jurisdiction by the Mixed Court over British subjects accused of offences committed entirely outside the zone.

4. The fact that Tangier is virtually independent of the rest of Morocco, though technically an integral part of the Shereefian Empire, renders the position of the zone somewhat anomalous, and the mutual relations of the British Consular Court for Morocco and the Mixed Court at Tangier may consequently seem at first sight not entirely clear. Both courts are situated in territory which is recognised to be under the same sovereignty, and it might be contended on that account that they should be regarded as courts exercising jurisdiction in different areas of the same country, as, for example, the Court of Appeal in Paris and the Court of Appeal at Aix. It might further be argued on such grounds that the assumption of jurisdiction by the Mixed Court in the case of Ioannou would possibly be justified on the analogy of section 39 (1) of the Larceny Act, which provides that a person accused of larceny committed in England may be tried for that offence in any county in England in which he is apprehended, as if the offence of which he is accused had been committed there.

5. On consideration, however, it would appear that the hypothetical contention and arguments above mentioned are ill-founded. The section of the Larceny Act

* Also sent to Acting Consul-General, Tangier, *mutatis mutandis*.

deals only with jurisdiction in respect of offences committed in England, and therefore by persons who at the place where their offence was committed were subject to the criminal jurisdiction of the courts of the sovereign (*i.e.*, His Majesty the King), whose courts are given by the Act jurisdiction to try them. It is clear that the analogy of section 39 (1) of the Larceny Act is not applicable in the case of the British Consular Court for Morocco and the Mixed Court, since the English courts do not exercise jurisdiction under the Larceny Act in respect of offences committed in places where the accused are subject to the criminal jurisdiction of another sovereign. British subjects in the French and Spanish zones are subject in criminal matters only to the jurisdiction of His Britannic Majesty, whilst in the Tangier zone they are subject to an international jurisdiction, which in theory is a court of the Sultan of Morocco. The Mixed Court at Tangier stands, therefore, in the same relation to the British Consular Court for Morocco as any other foreign court.

6. The second point to be dealt with is that which arises from the decision of the Mixed Court to give effect to a warrant of arrest issued by the Supreme Court of Gibraltar or the British Consular Court for Morocco, by ordering the apprehension of the person named in such a warrant and handing him over at the frontier or on board ship to the custody of the court issuing the warrant. Effect was so given to a warrant issued by the Supreme Court of Gibraltar in the case of Ratcliffe. The Mixed Court claim to find their authority for this action in article 20 of the dahir, under which it is constituted, and under article 20 of the "Code sur la condition civile des étrangers." Article 20 of the dahir reads :—

> "Eu égard au caractère international du tribunal mixte de Tanger, les jugements des tribunaux des Puissances signataires de l'Acte d'Algéciras sont exécutoires de plein droit dans la zone de Tanger à l'encontre des justiciables du tribunal mixte."

Article 20 of the "Code sur la condition civile des étrangers" reads :—

> "Les jugements rendus à l'étranger par les tribunaux des Puissances signataires de l'Acte d'Algéciras seront déclarés exécutoires sans révision au fond, sous la seule condition de la réciprocité."

7. There seems no ground for the opinion of the Mixed Court that either of the articles quoted above in any way covers the arrest of a person on a warrant of a foreign criminal court and his delivery to be tried by the latter court. In the first place, no judgment has been delivered, since no trial has taken place, and it is therefore not a case of executing a judgment. In the second place, the second of the articles quoted above forms part of a code dealing with the "civil" status of foreigners and would appear to have nothing to do with criminal matters. In the third place, the "enforcement of foreign judgments" (whether on the basis of reciprocity or not) is a matter which is generally dealt with in the codes and regulations of most continental countries as a part of private international law and with relation exclusively to civil matters. It is believed to be unknown for a court to enforce the criminal judgments of a foreign court. There can be little doubt that these articles were framed with reference to similar provisions in French and Spanish codes.

8. The fact that the Mixed Court are prepared to give effect to a warrant of arrest issued by the Supreme Court at Gibraltar indicates that their decision is independent of the provisions of paragraph 5 of article 48 of the Tangier Statute. Moreover, for reasons which are developed in paragraph 11 below, article 48 appears to have no bearing on the matter, and Judge Barne's arguments referred to in the penultimate paragraph of Mr. Consul-General Clive's letter to the Attorney-General of Gibraltar of the 13th August are not convincing in so far as they attempt to show that the view taken by the Mixed Court is right in principle.

9. The procedure by which persons accused of crime and desired for trial by a foreign court or persons convicted by a foreign court and desired for punishment are arrested and delivered over to the jurisdiction of a foreign court is usually known as extradition, and there seems little doubt that it is under this heading that the delivery of prisoners between the Mixed Court on the one hand and the British Consular Court for Morocco and the Supreme Court of Gibraltar on the other should come. It is, however, not of intrinsic importance to His Majesty's Government whether or not the decision of the Mixed Court is correct, and they can readily acquiesce in the present satisfactory position, which appears to be that

the Mixed Court are prepared to arrest and deliver British fugitives from Gibraltar or from the French and Spanish zones of Morocco, always provided that acceptance of the decision does not commit British courts to reciprocity in regard to delivery to the Mixed Court of fugitives from justice, who seek refuge either in Gibraltar or in the other zones of Morocco.

10. An examination of the point shows that British courts would not be so committed. In the first place, the fact that the Mixed Court, without first ascertaining whether a foreign court is in a position to reciprocate, chooses to take action on the process of the latter court under a provision of the Tangier Code. which provides (if it covers the point at all) that such action shall only be taken on condition of reciprocity, cannot create for that foreign court or its sovereign anything in the nature of a treaty obligation to reciprocate. The foreign court cannot be presumed to be acquainted with the provisions of the Tangier Codes. In the second place, even if the assent of His Majesty's Government to the codes could be considered as an implied agreement to accord reciprocal treatment, such reciprocity would be confined to matters which the relevant provision of the codes properly covers, *i.e.*, judgments in civil matters. If, therefore, the Mixed Court wrongly deals with a warrant for the arrest of fugitives issuing from a foreign tribunal under a provision of the Tangier Code which provides for the reciprocal enforcement of judgments in civil matters on the basis of reciprocity, they cannot demand reciprocity from such a foreign tribunal in the arrest of fugitives.

11. It has been suggested that the following paragraph of article 48 of the Tangier Convention has a bearing on the question :—

> "Les relations des autorités judiciaires de la zone française ou de la zone espagnole avec le tribunal mixte de Tanger sont réglées par l'accord du 29 décembre 1916 touchant les rapports entre les autorités judiciaires de ces deux zones."

The agreement of 1916 provides for the reciprocal enforcement not only of judgments in civil matters, but also for the reciprocal execution of warrants of arrest, orders of court or of any other act of the judicial authority. It has been argued that the British consular courts in the French and Spanish zones are "judicial authorities of these zones," but this argument can be rejected on many grounds. In the first place, extra-territorial consular courts cannot be correctly described as judicial authorities *of* the zone, since this expression seems in its most natural sense to be intended to cover merely the courts of the Administration of the zone. For example, the British consular courts for Persia, Abyssinia or China can scarcely be described as judicial authorities *of* those countries. In the second place, the agreement of 1916 was a Franco-Spanish agreement affecting only the French and Spanish tribunals, and it is clear, therefore, that only the French and Spanish tribunals of the two zones are referred to when the agreement is described at the end of paragraph 5 of article 48 of the Tangier Statute as "l'accord du 29 décembre 1916 touchant les rapports entre les autorités judiciaires de ces deux zones." The words "autorités judiciaires de ces deux zones" cannot have a different meaning when they are used for the first time in this paragraph. These reasons appear quite conclusive in themselves, but there is the additional practical consideration that British Consular Courts have no power to give reciprocity. Moreover, since at the Tangier Conference the British representatives who signed the statute had clearly explained that this was the case, they cannot have intended that article 48 should cover British Consular Courts.

12. The minutes of the Tangier Conference (see "Morocco" Print, Part LIV, pp. 180, 181, 193, 357, 358) show that article 20 of the judicial dahir was discussed at some length, that the original French draft provided for reciprocity in the enforcement of judgments, and that, in view of the representations of the British delegates, it was finally decided not to insert a condition of reciprocity in the dahir. It is unfortunate that a provision requiring reciprocity should have been inserted in article 20 of the "code sur la condition civile des étrangers," but, in view of the proceedings at the Tangier Conference, this must be regarded as due to an oversight. In the circumstances, His Majesty's Government are probably justified in assuming that the judgment of British courts will be executed at Tangier without reciprocity. If the question of reciprocity is raised, the best course may be to demand the amendment of the code on the ground that this particular provision should never have been inserted. If it is not practicable to do this, and the Mixed Court are not satisfied

with the position, it may be necessary to consider whether some special arrangement should be made so far as the British Consular Court for Morocco is concerned. It could be considered whether it was possible to do this by Rules of Court made by the consul-general under article 124 of the Morocco Order in Council.

13. In point of actual fact, the position from the point of view of the Mixed Court is not so unsatisfactory as it would appear. Article 20 of the judicial dahir, as has already been explained above, only properly applies to civil judgments. Now the English procedure of allowing an action to be brought on a foreign judgment and in not permitting (save in certain exceptional cases) the merits of the case to be raised again in the English courts is substantially the same thing as enforcing a foreign judgment. It produces the same results. Nevertheless, it is not the same in form, because it cannot be said that such judgments are made "exécutoires en plein droit," and for this reason His Majesty's Government have not felt justified in entering into conventions for the reciprocal enforcement of judgments. Nevertheless, the procedure is a speedy and satisfactory one, which should in substance satisfy the requirements of the Mixed Court, and it does not seem necessary for the present moment to consider further the question of the enforcement of the civil judgments of the Mixed Tribunal, either in the British Consular Court for Morocco, in Gibraltar or elsewhere.

14. As regards criminal cases, the position is different, and the question of the return of fugitives from justice, who have committed offences in the Tangier zone and escaped to Gibraltar or to the French or Spanish zones of Morocco, involves a number of difficult points. In the first place, there is the case of fugitives from Tangier of British nationality who take refuge in the French or Spanish zones. In such cases it appears that the jurisdiction given by article 18 of the Morocco Order in Council to the Consular Court of the district where the accused person is apprehended to try such persons for an offence committed anywhere in Morocco is taken away, so far as offences committed within the Tangier zone are concerned, by article 1 of the Tangier Zone Order in Council, 1924. It therefore seems that the British Consular Courts in Morocco no longer have jurisdiction to try British subjects for offences committed in the Tangier zone. The Extradition Act, 1870, does not apply to British subjects in countries where there is British consular jurisdiction, because a fugitive criminal is defined in section 26 of that Act as being a person "who is, or is suspected of being, in some part of the British Dominions," and proceedings under that Act are therefore limited to persons in His Majesty's dominions. The Fugitive Offenders' Act, 1881, is equally inapplicable in the case of a person accused of committing an offence in Tangier. In the circumstances, the possibility must be considered of deporting or removing from the French or Spanish zones of Morocco to the Tangier zone a person accused of committing an offence in the latter. This could not be done under the existing Order in Council, as the power of deportation, which is defined in article 41, is limited to the case of a person who is suspected of being about to commit a breach of the public peace in Morocco and is brought before the court and ordered to give security for keeping the peace but fails to do so. In any event, an amendment of the Order in Council would be necessary. This, however, is not a matter of very great difficulty if the granting of a power of deportation for this purpose would be (i) *intra vires*, the Foreign Jurisdiction Act, and (ii) not objectionable on other grounds. The relevant section of the Foreign Jurisdiction Act (section 8) reads as follows :—

> "Where by Order in Council made in pursuance of this Act any British court in a foreign country is authorised to order the removal or deportation of any person from that country, that removal or deportation, and any detention for the purposes thereof, according to the provisions of the Order in Council, shall be as lawful as if the order of the court were to have effect wholly within that country."

It is possible that a provision in the Order in Council for the removal or deportation to Tangier of a person accused of committing an offence in Tangier would be within the powers given by section 8 above quoted. An amendment of the Morocco Order in Council on these lines could not, however, be made without first obtaining the opinion of the Law Officers of the Crown. In a recent opinion on this same section they expressed the view that it cannot be used for the purpose of sending offenders convicted by the Mixed Tribunal in Abyssinia out of the country to serve their sentences in a British possession. On the other hand the scope of the provision of the Extradition Act is wider, since a person whose extradition is required may be both a person who is accused and has not been convicted and a person who has been

accused and convicted. In any case, the Order in Council which gave these powers of deportation would have to contain a provision prescribing a procedure for the exercise of such powers, which would give a sufficient protection against their abuse, *i.e.*, protection similar to that given by the extradition procedure for the Extradition Act, 1870. If the Law Officers are consulted they should doubtless also be asked what procedure they consider necessary for this purpose. Before deciding, however, whether or not it is desirable to refer this question to the Law Officers, the Secretary of State will be glad to obtain your views generally on the point, and especially as to whether the need for such powers is often likely to arise, and whether you consider it important that means should be found of returning to Tangier fugitives accused or convicted of offences in the zone.

15. In the second place there is the question of persons accused or convicted of offences in the Tangier zone who escape to Gibraltar. It appears that the only powers which the Government of Gibraltar have, which can conceivably be used for such a purpose, are limited to (*a*) extradition under the Extradition Act of 1870; (*b*) deportation. It appears from the correspondence which has passed on the subject that the Government of Gibraltar do not think that the powers of deportation should be used for this purpose. The Extradition Act of 1870 can only be applied where an arrangement has been made with a foreign State for the surrender to that State of fugitive criminals, and, if that has been done, the Act must have been applied in the case of such foreign State by an Order in Council. No such arrangement has been made in regard to Tangier. The Extradition Act provides for the conclusion of agreements limited to certain British possessions, such as Gibraltar and Malta, if that is deemed desirable, and the question now arises whether some extradition agreement of the kind provided for should be made with the Sultan of Morocco in respect of the Tangier zone. This is, of course, a matter on which no action could be taken without previous discussion with the Colonial Office and Home Office, but before consulting these departments the Secretary of State would be glad to have your views on the desirability of such a course.

16. There remains the question of the surrender of fugitives who escape to a British possession, such as Gibraltar, from the French or Spanish zones, or from Tangier in the case of persons still justiciable by Consular Courts in that zone. It seems that no difficulty would arise when the fugitive is a British subject or British protected person and that he could be dealt with under the Fugitive Offenders Act, since there is British consular jurisdiction in the French and Spanish zones. In cases where the fugitive is not a British subject two different classes of cases arise: First, where he is a subject of a Power having extra-territorial rights in the part of Morocco in which his offence was committed and where his surrender is demanded by his own national authorities, for example, a United States citizen whose surrender is required in order that he may be tried before the United States Consular Court at Fez. It might be argued that such a person was accused of a crime committed within the jurisdiction of the United States, and that the case comes under the Extradition Act of 1870 (see section 26 and the definition therein of fugitive criminals) and the Extradition Treaty with the United States. This point, however, has already been considered by the Law Officers, who have advised that such a case does not come within the Extradition Treaties or the Extradition Act of 1870. The argument in favour of this view seems to be based mainly on section 25 of the Act, which runs as follows: "For the purposes of this Act every colony, dependency and constituent part of a foreign State and every vessel of that State shall be deemed to be within the jurisdiction of and to be a part of such foreign State." It is held that the words quoted are intended to be an exhaustive definition of the term "jurisdiction." Cases in this category are likely to be so rare that it seems scarcely necessary to make provision for them, and the best course is probably to acquiesce in the existing position. The second class of case is that of a fugitive who, in the part of Morocco in which he has committed the offence, is subject to the jurisdiction of the native courts or the French courts, both of which are courts of the Sultan of Morocco. The Extradition Act could therefore only apply if there were an agreement between His Majesty's Government and the Shereefian Government. An illustration of this is provided by the case of Haim Cohen, a Moroccan Jew, whose surrender was requested from the Government of Gibraltar in 1922. The Attorney General of Gibraltar expressed the opinion that it was impossible to institute extradition proceedings in the absence of an agreement. At about this time representations were made for the conclusion of such an agreement, but His Majesty's Government took the view that, owing to the existence of extra-territorial rights it was impossible to make an agreement in the ordinary form. The Secretary of State

is prepared to examine, in consultation with the Home Office and the Colonial Office, the question of concluding an extradition agreement with the Sultan of Morocco, providing for the surrender to Morocco only of such persons as fall within the Sultan's jurisdiction in that country, but before doing so he will be glad to learn whether you favour the conclusion of such an agreement.

I am, &c.
G. H. VILLIERS.

[**W 12045/7625/28**] No. 81.

Mr. Gurney to Sir Austen Chamberlain.—(Received December 30.)

(No. 274.)

Sir, *Tangier, December* 16, 1926.

WITH reference to your despatch No. 325 of the 5th October last regarding the relations between the Mixed Court at Tangier, the Consular Court for Morocco and the Supreme Court of Gibraltar, I have the honour to enclose a copy of a joint memorandum embodying the conclusions reached by His Majesty's consul-general at Rabat and myself after a discussion of the various aspects of this question.

2. It will be seen from paragraph 7 of the memorandum that Sir A. Ryan has left it to me to express an opinion as to the advisability, considered from a local point of view, of concluding an extradition agreement having reference exclusively to the mutual return of fugitive offenders as between the Tangier zone and Gibraltar, a question which is dealt with in paragraph 15 of your despatch.

3. Although there would probably be very few cases in which the Mixed Court would desire to apply to the Government of Gibraltar for the surrender of a fugitive offender, it seems to me desirable that if a case should arise it should be possible for the Government of Gibraltar to be in a position to accede to such request. Conversely, although I presume that few criminals are likely to escape from Gibraltar to this zone, one case has already arisen, and, in spite of the fact that the Mixed Court appear to be ready to surrender such fugitives on the mere production of a warrant of arrest, it seems to me undesirable, for the reasons advanced in paragraph 11 (*c*) of the joint memorandum, to take advantage of such readiness, and it would, to my mind, be preferable to regularise the situation by means of a reciprocal arrangement.

4. I am, therefore, inclined to advocate the negotiation of an extradition agreement as between Gibraltar and the international zone. If such an agreement were negotiated it would seem desirable that an arrangement should be made at the same time for the service of writs and other legal documents, a question which is dealt with in paragraphs 10 and 11 of the joint memorandum as between the Mixed Court and the Consular Court.

5. The conclusion by the Sultan of an international agreement applicable to the zone is contemplated in article 8 of the Tangier Statute, which lays down that such agreement must be approved by the Legislative Assembly.

6. I am forwarding a copy of this despatch to his Excellency the Governor of Gibraltar, for the information of His Majesty's attorney-general, and also to His Majesty's consul-general at Rabat.

I have, &c.
HUGH GURNEY.

Enclosure 1 in No. 81.

Joint Memorandum by His Majesty's Consuls-General at Tangier and Rabat on the Relations between the Mixed Court at Tangier and British Courts, more especially the Consular Court for Morocco and the Supreme Court for Gibraltar.

THE Foreign Office have dealt with this subject at length in identic despatches No. 325 of the 5th October to Tangier and No. 105 (do.) of the same date to Rabat. The points which arise were discussed at Tangier on the 22nd November between Mr. Gurney (assisted by Mr. Bond) and Sir Andrew Ryan. The results of this discussion may be summed up as follows:—

2. The main principles inspiring the Foreign Office despatch appear to be these:—

(*a*.) The relations between the Consular Court and the Mixed Court are not affected by article 48 of the Tangier Convention. The Mixed Court

stands in regard to the Consular Court, no less than in regard to the Supreme Court, Gibraltar, in the same relation as any other foreign court. The relations, so far as they are determined at all by the special arrangements for Tangier, are governed by article 20 of the judicial dahir and article 20 of the Code sur la Condition civile des Etrangers.

(*b.*) As regards the execution of civil judgments, the Foreign Office feel justified in assuming that judgments of British courts would be executed by the Mixed Court without reciprocity, having regard to the clearness of the reservations made at the Tangier Conference and the accidental character of article 20 of the Code sur la Condition civile des Etrangers. They consider in any case that the English procedure for action on a foreign judgment amounts to reciprocity in substance though not in form. If the question of reciprocity should be raised and the Mixed Court were not satisfied with this substantial reciprocity, the difficulty might possibly be met in the case of the Consular Court by Rules of Court under article 124 of the Morocco Order in Council.

(*c.*) Article 20 of the judicial dahir and article 20 of the Code sur la Condition civile des Etrangers are of no effect in regard to criminal matters. The Foreign Office read them as applying exclusively to the execution of judgments in civil cases. Their despatch makes no specific reference to other judicial acts, such as service of summonses, &c.

(*d.*) The Consular Court can no longer try a British subject under section 18 of the Morocco Order in Council for an offence committed in the Tangier zone. This is laid down in paragraph 14 of the Foreign Office despatch, earlier in which it is held that the Mixed Court would not be justified in exercising jurisdiction in the case of a British subject accused of an offence committed in the French or Spanish zones.

(*e.*) Co-operation between the British courts concerned and the Mixed Court in criminal matters falls properly under the head of extradition, but this ruling of the Foreign Office must be read in the light of what they say (i) as to the possibility of providing for the surrender of fugitive criminals by the Consular Court to the Mixed Court by an Order in Council on the Foreign Jurisdiction Act, and (ii) as to their readiness to acquiesce in the apparent willingness of the Mixed Court to hand over fugitive criminals either to the Consular Court or to the Gibraltar Court.

3. It appears from this analysis that, in the view of the Foreign Office, the Mixed Court is under no strict obligation to give effect to judicial acts of the Consular Court or the Gibraltar Court, except as regards the execution of judgments, and His Majesty's Government are under no obligation at all. Having regard, however, to the readiness of the Mixed Court to give effect to other judicial acts of the British Courts and to the inconveniences of non-co-operation, the Foreign Office suggest possible means whereby the two British Courts might be enabled to give effect to acts of the Mixed Court, and they ask for the views of the consuls-general on various points.

4. Appended to this memorandum will be found a note showing fourteen principal cases which may arise between the courts most concerned.

5. The consuls-general concur in the conclusion in paragraph 13 of the Foreign Office despatch that it is not necessary for the present to pursue the question of the enforcement by the Consular Court or other British courts of judgments of the Mixed Court in civil cases.

6. The Foreign Office ask, in paragraph 14, for views on the suggestion that, subject to the opinion of the Law Officers of the Crown, provision might be made by Order in Council for the deportation from the French or Spanish zones to Tangier of British subjects charged with offences in the Tangier zone. Judging by the experience of the past 18 months the consuls-general do not think that the occasion for the exercise of such powers would arise frequently. They do not think the matter of sufficient importance to justify them in asking that the Law Officers should be consulted and a new Order in Council made if the Law Officers should approve. They realise that occasional cases may arise in which abstention from such action will enable fugitive offenders from Tangier to enjoy immunity by escaping to the French or Spanish zones, but the same position arises in other parts of the world in the absence of extradition agreements. The importance of the matter in Morocco is diminished by the probability that the Capitulations will disappear in the course of the next few years.

7. The Foreign Office express the view, in paragraph 15, that fugitive offenders escaping from Tangier to Gibraltar could only be returned under an extradition agreement in respect of the Tangier zone, which agreement might be limited to certain British possessions, *e.g.*, Gibraltar, only. They ask for views as to whether the Colonial Office and the Home Office should be consulted with a view to the conclusion of such an agreement. Apart from general political considerations, which will be set out in paragraph 9 below, this question does not concern Sir Andrew Ryan. Mr. Gurney will deal with it separately in his covering despatch.

8. Paragraph 16 of the Foreign Office despatch deals with fugitive offenders generally escaping from the French or Spanish zones to Gibraltar or some other British possession and of persons still justiciable in Consular Courts in Tangier escaping from that place in the same way. In the former case the fugitive, if a British subject or protected person, could be returned to the French or Spanish zone under the Fugitive Offenders Act. If not a British subject, he must be either justiciable in the United States Consular Court in the French zone or the United States or Dutch Consular Courts in the Spanish zone, or else he must be justiciable in the local courts, Moorish, French or Spanish, as the case may be. The consuls-general agree that it is not worth while to pursue the case of persons justiciable in the United States or Dutch courts, and the same applies to persons still justiciable in Consular Courts in the Tangier zone. They are asked for their views as to the desirability of the conclusion of an extradition treaty to cover the other class of cases. They do not think that the importance of the matter would justify this at at present time, and would prefer to see it deferred at any rate until after the Capitulations disappear.

9. The consuls-general are confirmed in this view by certain political considerations. It is suggested that the extradition treaty would have to be made with the Sultan of Morocco. If this be taken literally, any proposal to make such a treaty might raise an inconvenient question with the French. So far as we know, the Sultan of Morocco has not since 1912 concluded any treaty with an individual foreign Power, although he has been a party to general international conventions. The only extradition arrangements concluded since the protectorate appear to be that with Belgium of the 14th March, 1918, which took the form of a declaration by the French and Belgian Governments extending the extradition arrangements between them to the French zone (see "Rivière," vol. 1, p. 161); and the Franco-Swiss Agreement of the 11th June, 1914 (see "Rivière," pp. 133–4). If His Majesty's Government consider that they can still make treaties with the Sultan, as such, it would perhaps be preferable to reserve the question for a first-class occasion. Such an occasion would arise if and when we had to negotiate a new commercial treaty to replace the Capitulations. It may be better to keep the position when that time comes unprejudiced by any discussion over the comparatively unimportant question of an extradition treaty. Further, it is hard to see how the treaty would be negotiated as regards the Spanish zone, seeing that we have never officially recognised the Spanish protectorate. One part of these considerations applies also in the case of an extradition treaty in respect of the Tangier zone only, but everything connected with Tangier is so separate that any objection founded on them would in this case have less force.

10. All the conclusions stated above are negative and amount to a suggestion that, except perhaps for an extradition treaty in respect of the Tangier zone, we should leave matters as they are. Three questions arise on this, viz. :—

(*a.*) What is to be the position as regards giving effect in the French and Spanish zones to judicial acts of the Mixed Court, other than criminal sentences, which we obviously cannot execute, and civil judgments, the execution of which can normally be obtained by founding an action on them in the Mixed Court?

(*b.*) To what extent, if any, can we use existing powers to reduce practical inconvenience to a minimum?

(*c.*) Assuming that no new special arrangements are made on our side, is it really as safe as it seems at first sight to take advantage of the accommodating attitude of the Mixed Court?

11. The consuls-general submit the following observations on these three questions :—

(*a.*) This question applies to the service of documents for which occasion may arise in criminal cases, *e.g.*, a summons to appear, without any question

of a warrant of arrest; but it applies more especially to documents arising out of civil cases, *e.g.*, summonses, pleadings, copies of judgments, &c. Such cases are probably more likely to arise than criminal cases. Sir Andrew Ryan is not clear as to what a consular officer in the French (or Spanish) zone should do if asked to effect such service, whether in a criminal or in a civil case. He would appear to have no powers to do it judicially, except perhaps in some cases under section 115 of the Morocco Order in Council. He is debarred from doing it in a consular capacity by chapter 5, paragraph 34, of the Consular Instructions. If consular officers have or should be invested with power to effect such services, the question arises whether it should be done as a matter of course. There would ordinarily be no special objection to this if the addressee were a person resident or carrying on business in the Tangier zone; but it might be much more undesirable to effect service automatically on persons resident in the French or Spanish zone, as the case may be.

(*b.*) Section 115 of the Morocco Order in Council enables the Consular Court to require the attendance of a British subject or protected person "to give evidence or for any other purpose connected with the administration of justice" before Moorish courts. This provision was made to meet quite different circumstances, but it might conceivably justify the Consular Court in calling upon a British subject within its jurisdiction to answer a summons emanating from the Mixed Court, and where such summons entailed an obligation to attend (*e.g.*, a summons to answer a criminal charge) the Consular Court might conceivably, under § 115 (2), itself try the recalcitrant person for a grave offence under the Order in Council, although it could not hand him over to the Mixed Court. It would be useful to have guidance as to the possibility and propriety of such action in suitable cases.

(*c.*) We are proceeding on the assumption that the Mixed Court is at present prepared to give practically unlimited assistance to the Supreme Court, Gibraltar, or the Consular Court, both in civil and criminal cases, and the Foreign Office regard this as a satisfactory position in which we can readily acquiesce. Without demurring to this view, the consuls-general wish to draw attention to one possible objection to it, namely, that the Mixed Court would doubtless afford the same assistance to non-British Courts, at any rate to those of Powers signatory of the Act of Algeciras. This might be productive of danger in some cases, especially criminal cases. The action taken in the Ratcliffe case produced satisfactory results, in spite of a great lack of precaution. It might not, however, be equally satisfactory if, *e.g.*, a British subject in Tangier were accused of having committed a crime in, *e.g.*, Italy or Tunis, or even in France, and if the Mixed Court handed him over to the authorities of those countries with the same facility. Cases of this kind are likely to be rarer than cases of fugitives from Gibraltar or the French and Spanish zones, and the possibility may perhaps be disregarded; but, if a case did arise, we could hardly object to the surrender of our subject by the Mixed Court, *e.g.*, to Italy (except, perhaps, temporarily on the ground that she has not adhered to the statute) or to France, if we ourselves had made a practice of asking for surrender to Gibraltar. If importance be attached to this point, it might be a ground for making a distinction between civil and criminal cases and confining requests for assistance to civil cases. This would be in accordance with what was done more or less accidentally in the Ioannou case, in which we refrained from asking the Mixed Court to execute a warrant of arrest issued by His Majesty's vice-consul at Fez, but did ask it to serve a civil summons issued by the same officer.

12. Finally, it may be pointed out that if it should be decided as a result of this discussion to make any new Order in Council, it would be well to deal with some other matters, *e.g.*, the difficulties created by the retention of the word "Morocco" in various sections of the 1889 Order. They are not of such importance as to make a new order necessary for their sake alone.

HUGH GURNEY.
ANDREW RYAN.

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END

Enclosure 2 in No. 81.

Note on Principal possible Cases which might arise as between the Mixed Court, Tangier, the Supreme Court, Gibraltar, the British Consular Court for Morocco and the Local Courts (French or Moorish) in the French and Spanish Zones.

THIS note refers more particularly to criminal cases, though the relations of the courts in regard to civil cases have also to be considered. It disregards the Consular Courts of Powers other than Great Britain still having capitulatory rights; also the Mendoub's Court at Tangier, which would, however, have to be considered in connection with any extradition treaty for Gibraltar and the Tangier zone.

Case.	*Position.*
Mixed Court may want to get at—	
1. British subject in Gibraltar.	Would require extradition treaty.
2. British subject in French or Spanish zones.	Might be covered by Order in Council providing for deportation by Consular Court.
3. Non-capitulatory foreigner or Moorish subject in Gibraltar.	Would require extradition treaty.
4. Non-capitulatory foreigner or Moorish subject in French or Spanish zones.	Covered by Franco-Spanish Agreement of 1916.
Supreme Court, Gibraltar, may want to get at—	
5. British subject in Tangier.	Covered by readiness of Mixed Court to give facilities.
6. British subject in French or Spanish zones.	Covered by Fugitive Offenders Act.
7. Capitulatory foreigner in Tangier.	Would presumably require extradition treaty with capitulatory Power in question.
8. Capitulatory foreigner in French or Spanish zones.	Ditto.
9. Non-capitulatory foreigner in Tangier.	Covered, perhaps, by readiness of Mixed Court to give facilities.
10. Non-capitulatory foreigner in French or Spanish zones.	Would require extradition treaty.
Consular Court for Morocco may want to get at—	
11. British subject in Tangier.	Covered by readiness of Mixed Court to give facilities.
12. British subject in Gibraltar.	Covered by Fugitive Offenders Act.
Local Courts in French and Spanish zones may want to get at—	
13. Non-capitulatory foreigner or Moorish subject in Tangier.	Covered by Franco-Spanish Agreement of 1916.
14. Non-capitulatory foreigner or Moorish subject in Gibraltar.	Would require extradition treaty.

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